Case No: J01EC769

Clerkenwell & Shoreditch County Court

BETWEEN

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH — Applicant

-and-

Oliver Bernard — Defendant

Hearing Bundle

Hearing Date: 10th June 2022

London Borough of Lambeth
Legal Services
PO Box 733,
Winchester, SO23 5DH
0207 926 2188
Ref: 80242

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Application for Injunction
(General Form)

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Name of court	Claim No.
Clerkenwell and Shoreditch	
Claimant's Name and Ref. London Borough of Lambeth Ref: LS/HP/NF/ 80242	
Defendant's Name and Ref. Oliver Bernard	
Fee Account no. PBA0087109	

Notes on completion

Tick which boxes apply and specify the legislation where appropriate

(1) Enter the full name of the person making the application

(2) Enter the full name of the person the injunction is to be directed to

(3) Set out any proposed orders requiring acts to be done. Delete if no mandatory order is sought.

(4) Set out here the proposed terms of the injunction order (if the defendant is a limited company delete the wording in brackets and insert 'whether by its servants, agents, officers or otherwise').

(5) Set out here any further terms asked for including provision for costs

(6) Enter the names of all persons who have sworn affidavits or signed statements in support of this application

(7) Enter the names and addresses of all persons upon whom it is intended to serve this application

(8) Enter the full name and address for service and delete as required

☐ By application in pending proceedings

☑ Under Statutory provision ASB Crime and Policing Act 2014

☐ This application is made under Part 8 of the Civil Procedure Rules

Seal

This application raises issues under the Human Rights Act 1998 ☐ Yes ☑ No

The Claimant(1) London Borough of Lambeth

applies to the court for an injunction order in the following terms:

The Defendant(2) Oliver Bernard

must(3) please see draft injunction order

The Defendant Oliver Bernard

be forbidden (whether by himself or by instructing or encouraging or permitting any other person)(4)

please see draft injunction order

And that(5)

The grounds of this application are set out in the written evidence of(6) Janet Coote, Babs Olosun and Jummy Rufai sworn (signed) on

This written evidence is served with this application.

This application is to be served upon(7)
The Defendant, Oliver Bernard of 33 Carfax Place, London SW4 7BQ

This application is filed by(8) The Claimant, London Borough of Lambeth
(the Solicitors for) the Claimant (Applicant/Petitioner)
whose address for service is
Lambeth Legal Services, Housing Team, PO Box 733, Winchester, S023 5DH

Signed Dated 05 May 2022

* Name and address of the person application is directed to

To*
of

This section to be completed by the court

This application will be heard by the (District) Judge
at
on the day of 20 at o'clock

If you do not attend at the time shown the court may make an injunction order in your absence
If you do not fully understand this application you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.

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N260

Statement of Costs (summary assessment)

(CPR PD44 9.5)

In the County Court and Clerkenwell and Shoreditch **Court**	
Case Reference	

Judge/Master

Case Title

[Party]'s London Borough of Lambeth v Oliver Bernard

Statement of Costs for the hearing on Date **(interim application/fast track trial)**

Description of fee earners*

(a) *(name) (grade) (hourly rate claimed)*	Nina Franklin, Garde A, £65 per hour
(b) *(name) (grade) (hourly rate claimed)*	
(c) *(name) (grade) (hourly rate claimed)*	
(d) *(name) (grade) (hourly rate claimed)*	

Attendances on Claimant

Personal attendances

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Letters out/emails

(a) *(number)*	2	hours at £	6.50	£	13
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Telephone

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

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Attendances on opponents (including negotiations):

Personal attendances

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Letters out/emails

(a) *(number)*	1	hours at £	6.50	£	6.5
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Telephone

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Attendance on others:

Personal attendances

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Letters out/emails

(a) *(number)*	2	hours at £	6.50	£	13
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Telephone

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Site inspections etc.

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Work done on documents, as set out in schedule: 143

Attendance at hearing:

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0
(e) Fixed costs				£	

(a) *(number)*		hours travel and waiting time £		£	0
(b) *(number)*		hours travel and waiting time £		£	0
(c) *(number)*		hours travel and waiting time £		£	0
(d) *(number)*		hours travel and waiting time £		£	0

Sub Total £ 175.5

(A) Solicitors and Chartered Legal Executives with over eight years post qualification experience including at least eight years litigation experience.

(B) Solicitors and Chartered Legal Executives with over four years post qualification experience including at least four years litigation experience.

(C) Other solicitors and Chartered Legal Executives and fee earners of equivalent experience.

(D) Trainee solicitors, paralegals and other fee earners.

"Chartered Legal Executive" means a Fellow of the Chartered Institute of Legal Executives (CILEx). Those who are not Fellows of CILEx are not entitled to call themselves Chartered Legal Executives and in principle are therefore not entitled to the same hourly rate as a Chartered Legal Executive.

Brought forward £ 175.5

Counsel's fees *(name) (year of call)* TBC

Fee for [advice/conference/documents] £

Fee for hearing £

Other expenses

Court fees £ 332.00

Others *(give brief description)* £

Total £ 481.5

Amount of VAT claimed

on solicitors and counsel's fees £

on other expenses £

Grand Total £ 481.5

The costs stated above do not exceed the costs which the (party) Claimants is liable to pay in respect of the work which this statement covers. Counsel's fees and other expenses have been incurred in the amounts stated above and will be paid to the persons stated.

(party) London Borough of Lambeth

N. Franklin

Signed

05/05/2022

Dated

Nina Franklin

Name of Partner signing

London Borough of Lambeth

Name of firm of solicitors

Schedule of work done on documents

Item	Description of work *(one line only)*	(A) hours	(B) hours	(C) hours	(D) hours	Total £
1	04/5/22 dealing with file opening matters	18 mins				19.50
2	04/05/22 perusal of new claim	24 mins				26.00
3	05/05/22 making amendments to witness stats	30 mins				32.50
4	05/05/22 Draftign injunction order	12 mins				13
5	05/05/22 Drating witness statement of JC	18 mins				19.50
6	05/05/22 drafting n16a	12 mins				13
7	05/05/22 Drafing statememt of costs	18 mins				19.50
8						
9						
10						
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24						
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26						
27						
28						
29						
30						
Total						143

Print form Reset form

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN:

THE LONDON BOROUGH OF LAMBETH	**CLAIMANT**
-AND-	
Oliver Bernard	**DEFENDANT**

DRAFT INJUNCTION ORDER

If you do not obey this order you will be guilty of contempt of court and you may be fined or sent to prison or you may be guilty of a criminal offence for which you may be fined or sent to prison or both

Before His Honour District Judge [ ] sitting at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1v 3RE

Upon hearing Counsel for the Claimant and Upon the Defendant having had no notice

On [ ] the court considered an application for an injunction.

And upon the court being satisfied that the Defendant has engaged in anti-social behaviour, and the court considering it just and convenient to grant the injunction for the purpose of preventing the Defendant from engaging in anti-social behaviour

The court ordered that the Defendant, Oliver Bernard of 33 Carfax Place, London SW4 7BQ is forbidden (whether by herself or instructing or encouraging any other person to do so) from:

1. Entering, or attempting to enter, occupy or reside at his usual residence of 33 Carfax Place, London SW4 7BQ.

2. Approaching and/or entering the Carfax Scheme, Sheltered Housing offices situated at Carfax Place, Clapham Common, SW4 7BQ;

3. Making or engaging in any threats of violence, attacking, destruction of property against London Borough of Lambeth or any elected member or employee of London Borough of Lambeth or his neighbours and any other residents at Carfax Place;

4. Causing nuisance or annoyance to any resident or employee or agent of the Claimant of Carfax Place, SW4.

There be a power of arrest attached to this order.

The order shall remain in force until further order of the court.

It is further ordered that the Defendant pay the Claimants costs of this application.

Power of Arrest

And the court, finding that the conditions of section 4 (1) of the Anti-Social Behaviour Crime and Policing Act 2014 are satisfied:

And the court being satisfied that:-

(a) The anti-social behaviour which the Defendant has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons or;

(b) There is a significant risk of harm to other persons from the respondent

There be a powers of arrest attached to prohibitions 1-4 of this order to last until further order.

Notice of Further hearing

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1V 3RE on [ ]

If you do not attend on the date and time shown, the court may make an injunction in your absence.

The Defendant shall be at liberty to apply to vary, stay or set aside this order upon 72 hours notice to the Court and the Claimant.

Injunction Order

Between Oliver Bernard, Defendant
and London Borough Of Lambeth, Claimant

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Claimant (including ref.)	London Borough Of Lambeth LS/HP/NF/80242
Defendant (including ref.)	Oliver Bernard

London Borough Of Lambeth
Lambeth Legal Services
Housing Team
Po Box 733
Winchester
SO23 5DH

THE COUNTY COURT

IF YOU, THE WITHIN-NAMED DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND PUNISHED BY BEING IMPRISONED OR FINED, OR YOUR ASSETS CONFISCATED OR YOU COULD RECIEVE OTHER PUNISHMENT UNDER THE LAW

Before District Judge Naidoo sitting at the County Court at Clerkenwell and Shoreditch, Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE on 18 May 2022

UPON hearing Counsel for the Claimant

AND UPON considering the Claimant's application for an injunction dated 5 May 2022 and the evidence therein

AND UPON the application being heard without notice to the Defendant pursuant to section 6 of the Anti Social Behaviour, Crime and Policing Act 2014

AND UPON hearing further evidence under affirmation of Janet Coote, Tenancy Enforcement Officer of the Claimant, at the hearing including:

a. That she made requests for police disckosure and the medical background of the Defendant;

b. She recently recieved correspondence from the prison that the Defendant was released from prison before the start of his tenancy confirming the Defendant is under review and/or in contact with the JIGSAW police team that review registered sex offenders and serious violence offenders;

c. That the Defendant has a historic diagnosis of psychosis but is currently not engaged with any support services;

d. That as a result of the incident on 29 April 2022 the Claimant referred the Defendant to Lambeth's Single Point Access (SPA) services in relation to his mental health. SPA recently confirmd the Defendant declined the services stating he did not need assistance and asked the referral to be closed;

e. That the Defendant has been offered alternative independent accommodation. The Defendant confirmed he could not afford to move immediately and it is hoped the Defendant could move into said accommodation next month.

AND UPON the court being satisfied that the Defendant has engaged in anti-social behaviour, and the coyrt considering it just and convenient to grant the injunction for the purpose of preventing the Defendant from enagaging in anti-social behaviour

THE COURT ORDERED that the Defendant, Oliver Bernard of 33 Carfax Place, London, SW4 7BQ is forbidden (whether by himself or encouraging any other person to do so) from:

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place, and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth at Carfax Place.

2. Damaging any property of the London Borough of Lambeth at Carfax Place.

3. Causing nuisance or annoyance to any residents at Carfax Place, and lawful visitor at Carfax Place, or any employee, contractor, or any elected meber of the London Borough of Lambeth at Carfax Place.

4. Costs in the case.

The Order shall remain in force until further order of the court.

Power of Arrest

IT IS FURTHER ORDERED THAT:

There be a Power Of Arrest attached to paragraphs 1 and 2 of this order to last until further order.

The court, finding that the conditions of section 4 (1) of the Anti-Scoial Behaviour, Crime and Policing Act 2014 are satisfied:

And the court being satisfied that:

a. The anti-social behaviour which the Defendant has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons or;

b. There is significant risk iof harm to other persons from the respondent.

Notice of further hearing

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Clerkenwell and Shoreditch, Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE on **1st June 2022 at 11:30 am t/e 30 minutes face-to-face**

If you do not attend on the date and time shown, the court may make an injunction order in your absence.

The Defendant shall be at liverty to apply to vary, stay or set aside this order upon 72 hours notice to the Court and the Claimant.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

N110A

Power of arrest

Name of court	Claim No.
The County Court at Clerkenwell and Shoreditch	J01EC769
Claimant's name (including ref) **LONDON BOROUGH OF LAMBETH**	
Defendant's name (including ref) **OLIVER BERNARD**	

Name of defendant

OLIVER BERNARD

Defendant's address

33 CARFAX PLACE, LONDON, SW4 7BQ

Date order made 18 May 2022

Name of judge District Judge Naidoo

THE COUNTY COURT

Order made under (insert statutory provision) Section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

Section 4 (1) of the Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place, and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth at Carfax Place.

2. Damaging any property of the London Borough of Lambeth at Carfax Place.

This power of arrest was ordered on 18/05/2022 **and expires on** Till further order

Note to Arresting Officer
Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

LONDON BOROUGH OF LAMBETH

Claimant's address

LAMBETH LEGAL SERVICES
HOUSING TEAM
PO BOX 733
WINCHESTER
SO23 5DH

Claimant's telephone number

02079262505/07958493209

IN THE COUNTY COURT AT CLERKENWELL & SHOREDITCH

Claim No: J01EC769

B E T W E E N :

LONDON BOROUGH OF LAMBETH Claimant

Ref: LS/HP/INJ/NF/80242

-and-

MR OLIVER BERNARD Defendant

WITNESS STATEMENT OF KEVIN HOWARD (PROCESS SERVER)

I Kevin Howard of the Howard Agency, Berkeley Suite, 35 Berkeley Square, London W1J 5BF, a Process Server over the age of sixteen years, in this instance acting on behalf of London Borough of Lambeth Legal Services Department, PO Box 733, Winchester, SO23 5DH the abovenamed Claimant HEREBY STATE AS FOLLOWS:-

Having been instructed to effect personal service upon the abovenamed Defendant with:-

1. Covering Letter to Defendant from Lambeth Legal Services dated 23/05/22
2. Notice of Hearing of Application dated 18 May 2022
3. Defence Form
4. Sealed Copy of Application for Injunction dated 05/05/2022 with Draft Terms of Order
5. Witness Statement of Jummy Rufai dated 28/04/2022
6. Witness Statement of Janet Coote dated 10/05/2022
7. Witness Statement of Babs Olosun dated 28/04/2022
8. Statement of Costs dated 05/05/2022
9. Sealed Copy of Injunction Order made 18/05/2022
10. Sealed copy of Power of Arrest made 18/05/2022

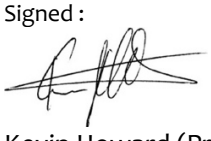
I did at 11.05am on Tuesday 24th May 2022 re-attend at 33 Carfax Place, Clapham, London SW4 7BQ. Having gained access to the building via the Duty Warden, at No.33, I there saw Mr Oliver Bernard, the abovenamed Defendant in these proceedings, who confirmed his identity to me. I delivered to the said Defendant, by handing to him personally, the above listed documents and proceeded to inform him of the stipulations contained in the said Injunction Order. I further informed the Defendant that the matter would be re-considered at 11.30am on 1st June 2022 at the Clerkenwell and Shoreditch County Court, whereby he should attend. The Defendant did not comment and closed the front door.

I hereby now produce and exhibit marked 'KH1', true copies of the documents served upon the Defendant at 33 Carfax Place, Clapham, London SW4 7BQ, as described above.

STATEMENT OF TRUTH

This statement consisting of 1 page signed by me, is true to the best of my knowledge and belief. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed :



Kevin Howard (Process Server for the Claimant)
Dated: 25th May 2022

IN THE COUNTY COURT AT CLERKENWELL & SHOREDITCH

Claim No: J01EC769

B E T W E E N :

LONDON BOROUGH OF LAMBETH — Claimant

Ref: LS/HP/INJ/NF/80242

-and-

MR OLIVER BERNARD — Defendant

EXHIBIT
'KH1'

This is the Exhibit marked 'KH1' referred to in the Statement of

Kevin Howard dated 25/05/22

General Form of Judgment or Order

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Date	1 June 2022

THE COUNTY COURT

LONDON BOROUGH OF LAMBETH	**1st Claimant** **Ref** LS/HP/NF/80242
OLIVER BERNARD	**1st Defendant** **Ref**

IF YOU, OLIVER BERNARD DO NOT COMPLY WITH PARAGRAPH ONE OF THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND PUNISHED BY BEING IMPRISONED OR FINED, OR YOUR ASSETS CONCFISCATED OR YOU COULD RECEIVE OTHER PUNISHMENT UNDER THE LAW.

Before District Judge Pigram sitting at the County Court at Clerkenwell & Shoreditch, The Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE.

UPON hearing Counsel for the Claimant and upon the Defendant in person, but not represented

AND UPON considering the Claimant's application for an injunction dated 5 May 2022 and the evidence therein

AND UPON the Claimant filing and serving during the hearing police disclosure documents and emails from Janet Coote dated 26 May 2022 and 30 May 2022

AND UPON the parties being informed of the next hearing date and time while present at court

IT IS ORDERED THAT

1. The Injunction Order dated 18 May 2022 and Power of Arrest dated 18 May 2022 of District Judge Naidoo do continue until further order of the court.

2. The court will reconsider the Claimant's application for an exclusion order and whether the Injunction order should continue at the next hearing.

3. The hearing be adjourned to **Friday 10 June 2022 at 2pm** at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1V 3RE for the Defendant to seek legal representation and for the Claimant's multi agency meeting to take place (Scheduled for 6 June 2022). Time estimates 45 minutes. Face to face.

4. The Claimant do file and serve any further evidence on which it intends to rely no later than 24 hours before the next hearing.

5. Costs in the case.

Notice to the Defendant:

The court will re consider the application and whether the order should continue at the hearing on 10 June 2022. If you do not attend on the date and time shown, the court may make an injunction in your absence. You are entitled to apply to the court to re-consider the order before that day.

If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre, or a Citizens Advice Bureau.

Dated 1 June 2022

Relevant Legal Correspondence

Your ref:

Our ref: LS/HP/INJ/NF/80242

23 May 2022

Lambeth Legal Services

Mr Oliver Bernard
33 Carfax Place
SW4 7BQ

BY PERSONAL SERVICE AND / OR THROUGH THE LETTER BOX OF 33 CARFAX PLACE, LONDON SW4 7BQ (THE PREMISES)

Dear Mr Bernard,

Re : London Borough Of Lambeth -V- Oliver Bernard
Case No : J01EC769

We refer to the above matter and write on behalf of our Clients', the London Borough of Lambeth Housing Department.

We have been instructed to issue Injunction Proceedings against you for breach of the terms and conditions of your tenancy. It has been alleged that you have been causing a lot nuisance and anti-social behaviour acts from 33 Carfax Place, London SW4 7BQ (hereinafter referred to as "the premises") and or the locality of the premises.

Please note that based on the instructions we have and the evidence seen, we issued the Application on a "without notice" to you. The Application was heard on 18/05/2022 and an Interim Injunction with Power of Arrest was made by the Court.

Accordingly and in line with the Court Order made, please find enclosed by way of service the following:

1. Notice of Hearing of Application dated 18 May 2022;

2. Defence Form;

3. Sealed Copy of Application for Injunction dated 05/05/2022 with Draft Terms of Order;

4. Witness Statement of Jummy Rufai dated 28/04/2022;

5. Witness Statement of Janet Coote dated 10/05/2022;

London Borough of Lambeth
Legal Services
PO Box 733
Winchester
SO23 5DH

Lexcel THE LAW SOCIETY
INVESTOR IN PEOPLE

6. Witness Statement of Babs Olosun dated 28/04/2022;

7. Statement of Costs dated 05/05/2022;

8. Sealed Copy of Injunction Order made 18/05/2022;

9. Sealed copy of Power of Arrest made 18/05/2022.

As you can see from the enclosed papers, the London Borough of Lambeth has issued and obtained an Injunction Order with Power of Arrest against you on the basis of nuisance and anti-social behaviour from and the locality of your premises as stated earlier.

As you can see, the attached Injunction Order sets out what you MUST NOT DO in terms of the complaints received about your nuisance and anti-social behaviour from and the locality your premises, 33 Carfax Place, London SW4 7BQ.

Please note that a copy of the Injunction Order and Power of Arrest will be lodged with the Local Police in readiness to act upon in the event you commit and breach the terms set out in the Injunction Order as ordered by the Court. That means the Police can arrest you if you are found to have breached the terms set out in the Injunction Order by doing what the court ask you not to do in relation to the Terms of the Injunction made by the Court. We trust you do not want that to happen.

For the avoidance of doubt, we will state that it is in your interest that you familiarise yourself with the terms set out in the Injunction Order and understand what you need to do regarding the matter and as set out by the Court.

Furthermore, and as you can see from the enclosed Court papers, the Court has listed the adjourned hearing of our Injunction Application against you for **1 June 2022 at 11.30AM.**

We advise that it will be to your advantage to contact a Solicitor as a matter of urgency about this matter so that he will be able to represent you on 1 June 2022 at 11.30AM. Lambeth will ask the Court to continue with the and make an Order with the Terms of the Injunction with Power of Arrest at the hearing.

Please understand that Lambeth take this matter extremely seriously.

Finally, we will again advice that you seek independent legal advice as to the contents of this letter, the enclosed court documents, and the matter in general as stated earlier without delay.

Yours faithfully,

Olufemi Durojaiye
On Behalf of Nina Franklin
Legal Services
Direct Line: 020 7926 2359
Email: odurojaiye@lambeth.gov.uk

Your ref:
Our ref: LS/HP/INJ/NF/80242
8 June 2022

Lambeth Legal Services

Oliver Bernard
33 Carfax Place
London
SW4 7BQ

DELIVERED BY PROCESS SERVER

Dear Mr Bernard,

Re : London Borough Of Lambeth -V- Oliver Bernard
Case No : J01EC769
Hearing on 10 June 2022 at 2pm- time estimate is 45 minutes

We write further to the above-named matter.

You will recall that the court has granted an injunction order against you. Please find enclosed a copy of the courts sealed order that we have received today.

At the last hearing, the court directed that the London Borough of Lambeth provide an updating statement to the court of matters that had recently occurred and that this statement should be provided to you,

We therefore enclose 2nd witness statement of Janet Coote for your perusal.

Please note that this matter is coming back to court on 10 June 2022 at 2 pm. We strongly advise you to be in attendance at the hearing and to seek independent legal advice as to the contents of this letter.

Yours faithfully,

Nina Franklin
Legal Services
Direct Line: 020 7926 2505

Encs.

London Borough of Lambeth
Legal Services
PO Box 733
Winchester
SO23 5DH

Lexcel THE LAW SOCIETY
INVESTOR IN PEOPLE

Witness Statement for Claimant

Witness Statement of Mr Babs Olosun
on behalf of the Claimant
Date: 28.4.2022
No. of Exhibits:
Filed:

IN THE CLERKENWELL AND SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN

The Mayor & Burgesses of the London Borough of Lambeth — Claimant

-and-

MR OLIVER BERNARD — Defendant(s)

WITNESS STATEMENT OF MR BABS OLOSUN ON BEHALF OF THE CLAIMANT

I, **Babs Olosun** of North Area Office, 91 Kennington Lane London SE11 make this statement as follows:

1. I am a Sheltered Attendant employed by the Claimant and am duly authorised to make this Witness Statement on their behalf.

2. I make this Witness Statement from my own knowledge and my own examination of the Claimant's records.

1. On 27th of April 2022 Mr Oliver Bernard was in the Common room around 9:10am and walked straight to the laundry and later walked back to the kitchen and walked back out to check the office through the office door glass and later went out of the common room area and I feel so suspicious with his

look and walking around without even talk to me and I ask him if I can help him but not a word from him .

2. On 9:45 am Mr Oliver Bernard of flat 33 Carfax place came back again and continued walking around the common room and later looked through the office window and left.

3. On 10:35am Jummy Rufai the Scheme Manager arrived on site, and I brief her with my concerns how Mr Oliver Bernard of flat 33 keep walking around and checking through the office door glass for her. During this conversation between me and Jummy Rufai, Mr Oliver Bernard appear again with load of clothes on his hand to wash and Jummy Rufai the scheme manager approached him that he can, t do washing because it was not his day of using the laundry but this resident says you cannot stop me from using the machine and keep walking to the laundry with the heavy cloth in his hand and Jummy Rufai followed him to the laundry to show him the rota on the wall that he cannot use the washing machine but the resident refused to listen and I, Babs Olosun, told the resident to remove his clothes from the washing machine and leave the laundry and common room.
On his way out of the common room the resident started being aggressive towards J Rufai and shouting with abusive and racist words and obscene language toward Jummy Rufai.

During this time Jummy Rufai has left me the laundry and wait by the common room middle door between the laundry and the common room seating area. When Mr Oliver Bernard noticed that she was standing at the back of the door

he immediately dropped the clothes on the floor and turned back and knocked Jummy down with the fire door and stood on top of her with the phone recording her on the floor and keep shouting with strong abusive and racist word.

3. At 10.44am I quickly called the police has he did not allow Jummy the space to get up from the floor and when I was calling the police he quickly ran out of the common room, and I have to assist J Rufai to get up to the sitting position and she was shaken and crying for help.

4 At 10.55am the police arrived on the scheme and assisted Jummy Rufai to get up from the floor and went to see the resident.

Statement of Truth

'I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.'

SIGNED .....
Babs Olosun

DATED 28/04/2022.....

Witness Statement of Jummy Rufai
on behalf of the Claimant
Date: 28.4.2022
No. of Exhibits:
Filed:

IN THE CLERKENWELL AND SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN

The Mayor & Burgesses of the London Borough of Lambeth — Claimant

-and-

MR OLIVER BERNARD — Defendant(s)

WITNESS STATEMENT OF JUMMY RUFAI ON BEHALF OF THE CLAIMANT

WITNESS STATEMENT OF **Jummy Rufai** ON BEHALF OF THE CLAIMANT

I, **Jummy Rufai** of North Area Office, 91 Kennington Lane London SE11 make this statement as follows:

1. I am a Scheme Manager employed by the Claimant and am duly

authorised to make this Witness Statement on their behalf.

2. I make this Witness Statement from my own knowledge and my own

examination of the Claimant's records.

1. I am writing to inform you about the violent incident instigated by tenant residing in Flat 33 Carfax Place SW4 7BQ, Oliver Bernard (OB), inflicted on me, Jummy Rufai (JR). The attacked happened to me in the Carfax Scheme Communal Lounge. Witnesses present were Scheme Assistant, Babs Olosun (BO) and resident of Flat 61 Carfax Mrs Lillian Bailey (LB).

On Wednesday 27th April 2022 just before 10.40am, I was in the Scheme Office discussing with BO when I observed OB entered the communal lounge, holding a pile of clothes. As he walked past the office headed towards the

middle set of fire doors, I enquired where he was going, gently reminding that his allocated laundry day was Tuesday. OB replied in a raised voice that he would not tolerate a woman dictating what he can or cannot do. LB entered the communal lounge to see me. I continued to explain to OB that the reason he could not do his washing was because the carer to the tenant of Flat 63 was next to use the laundry facilities, according to the pre-allocated time slot on the communal laundry rota. Following this explanation, OB started to exhibit aggressive behaviour: stepping closer to me in an intimidating manner, closing the gap between us and pointing at me with one hand whilst juggling his piles of clothes in the other hand. At that point, I quickly retreated to the safety of the office and was followed by LB who wanted to see me about a different issue. OB was heard yelling and screaming in the common lounge, verbally abusing, complaining about the laundry rota system, and banging hard on the doors and laundry equipment.

Due to the disturbance and my concern for my safety alongside the safety of the other people present in the Scheme building, *I entered the communal lounge and* asked OB to please leave willingly, or I would have to call the police. BO was trying to escort OB out of the laundry area towards the fire exit. However, when OB walked past me as I stood by the fire doors, OB suddenly turned back, threw his clothes on the floor and violently pushed the fire door directly into me with force. The door hit me and caused me to stumble, and I fell backwards, landing on my back. Whilst I was still on the floor, OB stood over me and continued to shout verbal abuse directed at me, He then brought out his phone and proceeded to record me and at the same time preventing me from getting up. I started *to panic and screaming as I was still on the floor* and LB was shouting desperately for help. BO stated he was going to call the police, and following this, OB rushed outside via the fire *exit.* BO was able to help me to sit up on the floor and continued calling the police.

OB left before the police arrived. I was shaken up; my lower back, left shoulder and left side of my neck were hurting from the impact. When the police arrived, I decided to not go to the hospital as I was still in shock and did not realise the extent of the injuries sustained. I minimised my injuries, feeling I had only obtained bruises which perhaps were not severe enough to need medical attention. I reported this physical violent attack to my Line Manager, Sharon Davis and she also help notified the police remotely, and she promptly attended the scheme with the Service Manager, Peter Mokogwu *to* provide immediate support. I gave a police statement and considered whether further actions were needed. I was sent home following the incident to ensure my safety and security, as well as not to further stress myself.

2. Events leading up to the Violence Incident

The tenancy of OB started on 21/03/2022. Since his arrival on the scheme, OB has displayed disorderly conduct on several occasions, often disregarding

the health and safety of other residents. OB has been reported by other tenants that he often plays loud music at night as well as causing Anti-Social Behaviour by using verbal abuse, intimidating other residents and demanding the common room to be opened for him outside of regular operating hours.

I have personally been subjected to OB's unacceptable derogatory and rude behaviour within the Scheme. He smokes in non-smoking areas including the office and he was no to do so but he ignored the advised.

I have reported these concerns to the Sheltered Management, in particular concerns about his disruptive aggressive behaviour and use of abusive language, intimidation towards residents and myself (i.e., yelling at anyone who make any attempt to caution his ASB).

Statement of Truth

'I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.'

SIGNED..... .....

Jummy Rufai

DATED.....28/04/22.....

1st witness statement by Janet Coote
On behalf of the Claimant
Number of exhibits: 2 (marked) JC

In the Clerkenwell & Shoreditch County Court	
Claim No	
Claimant (including ref.)	**The Mayor & Burgesses of the London Borough of Lambeth Ref: BS/HP/80242/NF**
Defendant (including ref.)	**Oliver Bernard ref:**
Date	**05/05/22**

WITNESS STATEMENT OF JANET COOTE

I, Janet Coote, a Tenancy Enforcement Officer employed by the Claimant at London Borough of Lambeth, Resident Services, Fourth floor Civic Centre, 1-7 Town Hall Parade, London SW2 1RJ make this witness statement on behalf of the Claimant in support of their application for possession.

1. I am duly authorised to make this witness statement. I make this statement from my own knowledge and my own examination of the Claimants records unless indicated otherwise.

2. As part of my current position, I am responsible for Enforcing tenancy breaches this includes the issuing of Notice of Seeking Possession and Notices to Quit for breaches of the Council's tenancy terms and conditions; enforcement action in relation to nuisance behaviour, Closure Orders, possession proceedings under Absolute Grounds, anti-social behaviour and other housing matters, e.g. hoarding, noise nuisance, sub-letting and succession.

3. I make this statement from my own knowledge and from reference to the information contained in the legal file, the Claimants computer records anite (information at work), one serve and northgate.

4. The Claimants are seeking an injunction against the Defendant for nuisance behaviour and for engaging in serious conduct that has caused actual physical bodily harm to an employee of the Claimant. The Defendants behaviour has caused residents to have a genuine fear for their lives and their safety.

5. The Defendant was granted a tenancy of 33 Carfax Place, London, SW4 7BQ on 21st March 2022. Please see exhibit **"EA1**".

6. It is clearly outlined in the council's tenancy terms and conditions, (of which accompanied the tenancy agreement) at clause 22 the tenant's duty not to cause nuisance or harass others:-

"22.3 You must not do anything which is, or which is intended to, or which is likely to be a nuisance or danger to other people, or which causes damage to our property or the property of our tenants and lessees, their families, lodgers or visitors.

22.4 You must not be violent, abusive or threatening towards any other person in the Property or the Locality or allow members of your household or invited visitors to do so.

22.5 You must not be violent, abusive or threatening towards any officers, representatives or contractors or allow members of your household or invited visitors to do this. You must not be violent, abusive or threatening towards or discriminate against anyone who also has a right to be in the Property or Locality, because of their race, sex, sexuality, age, religious belief or disability. And you must not allow members of your household or invited visitors to do this"

7. The court will note from the 2 witness statements that accompany the injunction application a detailed narrative of what occurred and why the Claimants have no other option than to seek the courts intervention.

8. On 29th April 2022, I made a Safeguarding referral to the mental health team in order to ascertain whether the Defendant was known to them and if there was any detail that we should be aware of prior to commencing legal proceedings. Adult Social Care Services responded and advised that the Defendant was known to the Community Mental Health Team. A referral has been made to Lambeth Single Point Access (SPA) who deals with mental Health for support. They did not indicate the Defendants diagnosis. Please see Equality Act Review Form at exhibit "**JC2".**

9. I have been informed that another property has been identified for the Defendant to move into, namely 75 William Bonney Estate. The Defendant is going to view the same on 12th May 2022.

10. In light of the documents that have been filed in support of the injunction application, together with the information provided to this Honourable Court in my witness statement, I humbly request that the court grant the terms of the draft injunction sought.

STATEMENT OF TRUTH

I believe that the contents of this Witness Statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes or causes to be made a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:……..
Janet Coote

10.5.2022
Dated…….……...

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LAMBETH	Claimant
-and-	
OLIVER BERNARD	Defendant(s)

EXHIBIT "JC1"

This is the Exhibit marked "JC1" referred to in the witness statement of Janet Coote.

Signed .....
Janet Coote

10.5.2022
Dated .....

Directorate of Housing Services

Lambeth

SECURE AND INTRODUCTORY TENANCY AGREEMENT

Property Ref	642579	Address	33 Carfax Place, London, , SW4 7BQ
Tenancy Ref	204599		
Payment Ref	720681010		
Prop Type	Flat	Area Office	Clapham Area
Prop Sub Type	In Block	Bed size	1
Sheltered		Person size	2

FINANCIAL DETAILS

Rent	£ 87.23	Heating	£ 8.76	TV Aerial	£ 0.00		
Water Charges	£ 0.00	Hot Water	£ 2.34	Other Charges	£ 1.94		
Caretaking	£ 1.44	Lighting	£ 2.71	Window Cleaning	£ 0.00		
Estate Cleaning	£ 7.10	Maintenance	£ 1.40	Disinfest &Disinfect	£ 0.74		
Sheltered Housing:-		Mgt Service	£ 15.00	Supp/C24	£ 4.10		
				TOTAL WEEKLY PAYABLE	£ 132.76		

TENANCY START DATE 21st March 2022

TENANT DETAILS

Title	Forename	Surname	Gender	Ethnic Origin	Date of Birth
MR	OLIVER	BERNARD	Male	B	12 Oct 1965

AUTHORISED OCCUPANT DETAILS

Title	Forename	Surname	Gender	Ethnic Origin	Date of Birth	Relation

I/We agree that this tenancy agreement shall take effect subject to the Council's written Tenancy Conditions. I/We acknowledge that I/We have been given a copy of the Tenancy Conditions and a copy of the Tenant's Handbook.

Note: This tenancy agreement will make you an introductory tenant unless you are already a secure tenant. An introductory tenant will automatically become a secure tenant after twelve months unless the council starts possession proceedings to end the tenancy.

Signed _____ Date 15/3/22

Name O BERNARD (Print in Capital Letters)

The Council agrees that this tenancy agreement shall take effect subject to the Council's Tenancy Conditions.

Signed _____ Date 15/3/22

Name Sharnay Hamilton (Print in Capital Letters)

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LAMBETH	Claimant
-and-	
OLIVER BERNARD	Defendant(s)

EXHIBIT "JC2"

This is the Exhibit marked "JC2" referred to in the witness statement of Janet Coote.

Signed .....
Janet Coote

Dated 10.5.2022 .....

REVIEW FORM

Pre-action considerations in relation to cases where the tenant may suffer from a disability / protected characteristic

Tenant: Mr Oliver Bernard

Address: 33 Carfax Place, London, SW4 7BQ

Issue: Physical Assault

Lambeth Scheme Manager has been physically assaulted by the tenant of 33 Carfax Place, Oliver Bernard is 56 years old dob12-OCT-1965 and only moved to the sheltered scheme on 21 March 2022. The police were called, and the incident reported.

On 29.4.2022 a Safeguarding referral was made, and a response received which indicates Mr Oliver Bernard is known to the mental Health s117 after care team.

Disability: Mental Health

Action considered: Seeking a Without Notice Injunction

PLEASE CONSIDER AND PROVIDE WRITTEN RESPONSES TO THE FOLLOWING QUESTIONS:

1. **Policies ('Tenancy Enforcement');**

-Have efforts been made to help the person with the disability?

Yes. Email sent to Adult Social Care Services who advised that Oliver Bernard in known to the Community Mental Health Team. A referral has been made to Lambeth Single Point Access (SPA) who deals with mental Health for support.

Have other services been contacted with a view to intervening and assisting the person with the disability?

Yes. Adult Social Care and Lambeth Single Point Access for the Mental Health to provide support.

Have all efforts failed to resolve the problem? Could anything more be done to assist the person the disability?

Yes. All efforts have been made to support Oliver Bernard.

- (If possession is sought) Is eviction the last resort?

N/A

-Are any other particular polices relevant to this case? (eg Hoarding Policy)

I have had due regard to the below policies:
- **Equality Act 2010**
- **Vulnerable Tenants Policy**
- **Lambeth Tenancy Agreement**

If so, has the policy been taken into account? And, if so, how?

Yes

Support is being provided by Lambeth SPA.

2. **<u>Adults: The Care Act 2014</u>**

-Does the adult have needs for care and support?

Yes

-Has the adult been assessed?

Yes

-What services are being provided to assist with the adult's needs and well-being?

On 29.4.2022, a referral was made to Lambeth Single Point for Mental Health to provide support for Oliver Bernard.

3. **<u>Children: The Children Act 1989</u>**

-Does the child have needs for care and support? **N/A**

-Has the child been assessed? **N/A**

-What services are being provided to assist with the child's needs and well-being? **N/A**

4. **<u>The Equality Act 2010</u>:**

-Does the tenant/family member have a disability that may be a protected characteristic for the purposes of the Equality Act 2010?

Yes, as above

-Is the nuisance behaviour related to this disability?

Yes.

-Have alternatives been considered to this action? If alternatives have been considered, what were they and why are they not considered suitable.

Yes – On 29.4.2022, a referral was made to Lambeth Single Point Access (SPA) for Mental Health to provide support for Oliver Bernard.

-Is the antisocial/nuisance behaviour putting the health and safety of neighbours or other individuals at risk?

Yes

-Can London Borough of Lambeth justify pushing ahead with a possession or injunction claim?

Yes

Due to Oliver Bernard behaviour, it is justified to go ahead with the Injunction Order to safeguard the residents, or any other individuals.

-If it is a mandatory ground for possession then has the tenant been given the opportunity to make representations and have those been considered (*See Part 3: Pre-Action Protocol for Possession Claims by Social Landlords*)? **N/A**

-Is (injunction/possession) a <u>proportionate</u> means of achieving a legitimate aim? Yes

a. Is the objective (ie stopping ASB) sufficient important to justify limiting a fundamental right? Yes

b. Is the measure (injunction/possession) rationally connected to the objective (ie. stopping ASB)? Yes

c. Are the means chosen (injunction/possession) no more than necessary to accomplish the objective (ie. stopping ASB)? Is the effect on the occupier outweighed by the advantages? Yes

In looking at this case, Lambeth must also consider the other residents and individual's/ public health and safety. The council has a duty of care towards all its residents.

Public Sector Equality duty

-Bearing in mind s149(1)(a)(b)(c) of the Equality Act 2010 (see below), has Lambeth had due regard to the 3 aims of s149 Equality Act 2010*? How has it done this? What policies and documents have been considered when having 'due regard' to the various aims?

For example:

Has Lambeth

Considered the specific aspects, and consequences, of that person's impairments (ie. what the person can, and cannot, do)?

YES. Referral made to Adult Social care and Lambeth Single Point of Access (SPA) to support Oliver Bernard.

Considered what connection there is between the disability (and impairments) and the relevant ASB; and whether that disabled person needs to be treated more favourably or differently?

YES. As above. However, the council also have a duty of care to other residents

Considered the likely effect of the disability (and impairments), when taken together with other features, on the disabled person if and when evicted; and, whether, as a result, that person is vulnerable.

YES. Referral made to Lambeth Single Point of Access (SPA) to support Oliver Bernard.

Considered the need to minimise/remove disadvantages suffered by a disabled person?

YES. Referral made to Lambeth Single Point of Access (SPA) to support Oliver Bernard.

Taken steps to meet his/her needs?

YES, as above

Taken steps to take account of his/her disabilities?

Yes

Considered whether more favourable treatment is appropriate?

YES, as above

-Can you confirm - on behalf of London Borough of Lambeth - that you (or another officer) have had due regard to its need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010; advance equality of opportunity between those who have a relevant protected characteristic

and those who do not share it and foster good relations between persons who share a relevant protected characteristic and those who do not?

In reviewing this case on behalf of London Borough of Lambeth I can confirm that I have had due regard to its need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the by the Equality Act 2010; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Oliver Bernard is not being treated any less favourable than any other tenant who would have exhibited the same level of ASB at a local authority property. The action that has been taken has nothing to do with any disability or any protected characteristics he may have, or any psychological difficulties that he may be facing. He is being supported by Lambeth SPA.

To this end, I have had due regard to the below policies:

- Equality Act 2010
- Vulnerable Tenants Policy
- Tenancy Enforcement Policy
- Allocations Policy
- Statutory Obligations of the Tenancy Agreement

Signed: Janet Coote
Job Title: Tenancy Enforcement Officer
Date: 03/5/22

Authorised by Ebenezer Appoh
Job Title: Senior Enforcement officer
Date: 3.5.2022

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149 Public sector equality duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) tackle prejudice, and

(b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

(7) The relevant protected characteristics are—

age;
disability;
gender reassignment;
pregnancy and maternity;
race;
religion or belief;
sex;
sexual orientation.

(8) A reference to conduct that is prohibited by or under this Act includes a reference to—

(a) a breach of an equality clause or rule;

(b) a breach of a non-discrimination rule.

<u>The duty</u>

A public authority should have due regard when exercising its functions to the need to:

(a) Eliminate discrimination, harassment, victimisation and any other conduct which is prohibited by or under this Act;

(b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

(c) Foster good relations between persons who share a relevant protected characteristic and those who do not share it.

2nd witness statement by Janet Coote
On behalf of the Claimant
Number of exhibits: 2 (marked) JC

In the Clerkenwell & Shoreditch County Court	
Claim No	**J01EC769**
Claimant (including ref.)	**The Mayor & Burgesses of the London Borough of Lambeth Ref: BS/HP/80242/NF**
Defendant (including ref.)	**Oliver Bernard ref:**
Date	**07/06/22**

SECOND WITNESS STATEMENT OF JANET COOTE

I, Janet Coote, a Tenancy Enforcement Officer employed by the Claimant at London Borough of Lambeth, Resident Services, Fourth floor Civic Centre, 1-7 Town Hall Parade, London SW2 1RJ make this witness statement on behalf of the Claimant in support of their application for possession.

1. I am duly authorised to make this witness statement. I make this statement from my own knowledge and my own examination of the Claimants records unless indicated otherwise.

2. As part of my current position, I am responsible for Enforcing tenancy breaches this includes the issuing of Notice of Seeking Possession and Notices to Quit for breaches of the Council's tenancy terms and conditions; enforcement action in relation to nuisance behaviour, Closure Orders, possession proceedings under Absolute Grounds, anti-social behaviour and other housing matters, e.g. hoarding, noise nuisance, sub-letting and succession.

3. I make this statement from my own knowledge and further to my witness statement dated 10 May 2022, from reference to the information contained in the legal file, the Claimants computer records anite (information at work), one serve and northgate and information that I have managed to ascertain from relevant agencies.

4. Leading up to the hearing on 1st June 2022, I managed to ascertain very important information pertaining to the Defendant. Due to the said information being provided piecemeal, it was not possible for me to put the detail into the form of a statement in readiness for the hearing.

5. At the hearing however, our barrister provided the acquired information to the Judge and the Defendant and directed that the Claimant do file and serve any further evidence on which it intends to rely no later that 24 hours before the next hearing.

6. The court will be aware that the Claimants initially attempted to seek alternative accommodation for the Defendant and had secured a property deemed fit for purpose. On 24 May 2022, Sharnay Hamilton, Income Maximisation Officer advised as follows: -

- *"On Wednesday 18th May, I spoke to Mr Bernard on the telephone and we arranged for him to sign up for 75 William Bonney on Friday 20th at 12.30pm, a confirmation email was also sent on the same day (email attached).*
- *Mr Bernard did not show up for the scheduled appointment, so I had called him at 12.45pm however it rang out then went to voicemail. I therefore sent him a text message and advised if he was not here by 1pm I would have to cancel his sign up for today, and for him to call me. Mr Bernard did not call me back, and I was informed by reception that he had not turned up.*
- *At 4pm on the same day (20th May) I called again, Mr Bernard answered and advised he had forgotten and also that he had "just woken up 2 hours ago". He asked to come on Monday. He mentioned that the police wouldn't think 75 William Bonney is suitable for him, however he didn't explain much further – and advised he would see me on Monday. Appointment was arranged and confirmation was sent to him via email again for Monday 23RD May at 11.30am (attached)*
- *Mr Bernard did not turn up to his sign up for 75 William Bonney. I called him at 12pm, however no answer. Since then, Mr Bernard has not gotten in contact with me via phone or email which he has done in the past. The sheltered housing manager Peter Mokogwu has also tried calling Mr Bernard yesterday*

(23rd) and today to no aval, and has left him a voice message and text, however Mr Bernard has not gotten back in contact with him

- *Last week on 18th May, we arranged removal company Roberts & Dennys to do the move from 33 Carfax to William Bonney for Mr Bernard. They were meant to do video survey with him last week Thursday however Mr Bernard cancelled this with them. They re-arranged a face-to-face survey for Tuesday 24th May at 10am. The removal company have confirmed they were able to do the survey at 33 Carfax today and will be sending quote shortly."*

7. On 24 May 2022, Peter Mokogwu, Head of Sheltered Service advised that: -

"I managed to get him on the phone a few minutes ago, and he said he thought I was expecting a call from a Solicitor firm who he hopes will be helping him with his housing matter and promised to call me back tomorrow before 12 noon. He was served an injunction today.

He said he does not think the property is suitable for him, but when pressed for reason why he said so, did not give any reason but will say when he calls me tomorrow."

8. Nothing further was heard from the Defendant.

9. On 25 May 2022, I received some pertinent information from the police concerning the Defendant. They advised as follows:-

"Good afternoon Janet,

Thank you for contacting me today. I can only apologise that you have not been updated about this individual.

Oliver's index offence was that of Rape of a female under the age of 16, she was 14 years old. It involved a knifepoint abduction/rape of a child previously known to him (he had seen her in the area). The offence took place during the hours of darkness.

He was identified several years later after a Cold case review. He was identified by DNA.

There appeared to be some element of planning and the victim was known in the local community and described by Oliver as a JUNKIE.

He had with him a knife, condom and there was a garaged area, somewhat concealed where the offence could take place. It was not considered a spontaneous act but planned.

He was convicted of Rape in 1996 and received a sentence of 8 years in prison.

He continues to deny the offence and initially in his Police interview he claimed not to be able to recall events. He later, whilst in prison claimed the sex was consensual.

His current diagnosis of Schizophrenia post-dates the offence and was mentioned by Defence at trial, but it was not relied upon as a mitigating factor suggesting that Oliver's MH was not linked to his offending.

Whilst he resided In Croydon his management has been problematic.

I have serious concerns about residency in Lambeth. I note from our records that Lambeth Jigsaw unit was never consulted in this matter, which might have assisted in any suitability checks to the current property.

Disclosure would have been conducted to the relevant parties, should this man commit another sexual offence then this could have a significant impact on all agencies involved. Questions could be asked about what is the current risk management plan? Was this matter considered to be discussed at MAPPA? Who made the decisions and where is documented?

If you need any further assistance, please let me know.
Thanks

DC Alvin McLean
Lambeth Public Protection Unit
Brixton Police Station"

10. Please see newspaper article of the incident at exhibit **"JC1".**

11. Please see police jigsaw notification at exhibit **"JC2"** which I received on 26 May 2022.

12. On 27 May 2022, I received a forwarded update from the scheme manager who was assaulted advising as follows:-

"Good Afternoon Peter,

For your information regarding the above subject matter, some of the Carfax residents have again reported about a few events that happened at the scheme last weekend. Below are some of the information received:

1. *On Saturday afternoon, Mr Oliver Bernard (OB) was seen parading the communal walkway wearing only short knickers. A resident described the situation as a very frightening and unpleasant one as OB continued to yell and swear around some of the grandchildren of other residents were playing in the scheme communal garden. Residents said they were scared, and everyone has to return to their flats immediately.*

2. *During that same weekend, OB was again seen half naked standing at the middle of the road nearby the scheme as he continued controlling the traffic*

for a while and later returned to the scheme and started throwing items of trash on the communal area through his window.

3. *Two other residents reported that on several occasions, OB hides in the Residents Communal hall / laundry area with the lights off, and he emerges suddenly and walks away as soon as anyone comes into the hall. Another resident said to me that she almost fainted out of fear by this man's action.*

Please also note that I always notice him staring constantly at the office entrance through his kitchen window which is very intimidating and scary to me. On Friday the 13th of May, he came to the office holding a long iron bar and demanding changes to the communal washing rota but when Deen came to the office OB immediately fled. Something needs to get done on time about this resident please.

Kind regards
Jummy"

13. On Monday 6 June 2022, a multi-agency meeting took place. I was not in attendance but my manager has provided to me and our legal team and outcome of the said meeting as follows: -

"Dear all,

Thank you for attending the meeting held today 6.6.2022 to discuss the resident of 33 Carfax place, Mr Oliver Bernard. In attendance were

1. *Margaret Akinso – Head of Tenancy Enforcement team*
2. *Ebenezer Appoh – Senior Tenancy Enforcement officer*
3. *Peter Mokogwu – Sheltered Housing service manager*
4. *Debbie Wilson - Allocations & Verifications Team Manager*
5. *Ida Mensah – Social Worker*
6. *DC Alvin McLean– Police*
7. *Natasha J. Mckenna – Police*

- *It was established during the meeting that the police unit in Croydon did not supply Lambeth police and the council enough information to decide*
    a. *The type of accommodation to offer*
    b. *Location of the accommodation*
    c. *Whether it was a serious risk to rehouse Mr Bernard in Lambeth.*

- *It was also established that a proper risk assessment was not carried out before Mr Bernard was rehoused as the full details only emerged after he was placed in a Sheltered scheme.*

- *All parties agreed the Sheltered Scheme was not suitable for him so should be placed somewhere else.*

- *The police also confirmed it was dangerous keeping Mr Bernard in Lambeth so it will be very helpful if he was place in an accommodation outside the*

Borough. Debbie explained we will not be able to offer an accommodation outside Lambeth.

- *The police stated they believe Mr Bernard's mental health may be declining as there were some serious incidents which could be linked to his mental health at his former place before he moved to Carfax place.*

- *The police also stated they need to be involved in every step to rehouse Mr Bernard as they must conduct background checks for the area before he is placed there.*

The following action plan was agreed.

- *Ida Mensah to liaise with CMHT to carryout mental health assessment. The AMP team also needs to be involved in the process. Care act assessment and Risk assessment also needs to be carried out. Once the above is carried out, they will be able to determine the type of property Mr Bernard should be place in. For Ida to determine the above,*

    - *Alvin/ Natasha **(police)** should send all the information the police hold on Mr Bernard*
    - *Ebenezer should also send the ASBs and the court outcomes to Ida."*

14. Miriam Hargreaves, Social Worker from Adult Mental Health Service advised on 7 June 2022 as follows: -

***"...** The plan is for myself and the team leader of the CMHT to visit OB on Thursday (9/6/22) morning to assess his mental state and begin the care act assessment. I can update you after this ahead of the court hearing on Friday.*

Is there a contact number for the scheme manager so I can liaise with them re Thursday's visit?

Alvin/Natasha - I can see reference to a care act assessment (in the previous prof meeting minutes of Jan 22) to be done by Croydon which it seems was completed prior to his discharge in April. I wonder if a copy / update was sent to you? If so, could this be shared with me? It would be helpful to know what the outcome was for this. I have also asked the Croydon team but have not yet had a response.

Kind Regards"

15. I shall update the court should any further information be forthcoming from Ms Hargreaves prior to the listed hearing.

16. It is noted that at the time of writing this statement, a copy of the courts sealed order is yet to be received by our legal team.

STATEMENT OF TRUTH

I believe that the contents of this Witness Statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes or causes to be made a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed .....
Janet Coote

8th June 2022
Dated .....

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO: J01EC769**

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LAMBETH — Claimant

-and-

OLIVER BERNARD — Defendant(s)

EXHIBIT "JC1"

This is the Exhibit marked "JC1" referred to in the witness statement of Janet Coote.

Signed .....
Janet Coote

Dated 8th June 2922 .....

News Shopper

Swanley man jailed for raping schoolgirl 16 years ago

News Shopper

Swanley man jailed for raping schoolgirl 16 years ago

Oliver Bernard

By Kelly Smale

Share 1

A SWANLEY man has been sentenced to eight years in jail for raping a schoolgirl 16 years ago.

Oliver Bernard, of Lullingstone Avenue, was sentenced at the Old Bailey on Friday (October 12) for the rape of a 14-year-old girl, after the case was re-opened in 2010 by the Met's Sapphire command detectives.

On January 25, 1996 the victim was approached by 47-year-old Bernard as she walked along Christchurch Road in Lambeth.

After asking her for money and a cigarette and being refused, he attempted to engage her in conversation.

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Bernard put his hand over her mouth and threatened to cut her throat if she screamed, before placing a knife to her throat and dragging her into a nearby garage area where he raped her.

Following the incident he attempted to follow her from the scene, but slipped on some ice and fell into a nearby bush. The victim was able to run home and raise the alarm.

Despite numerous inquiries by police, no suspect was identified at the time but the case was re-opened 14 years later by detectives from the cold case Sapphire unit.

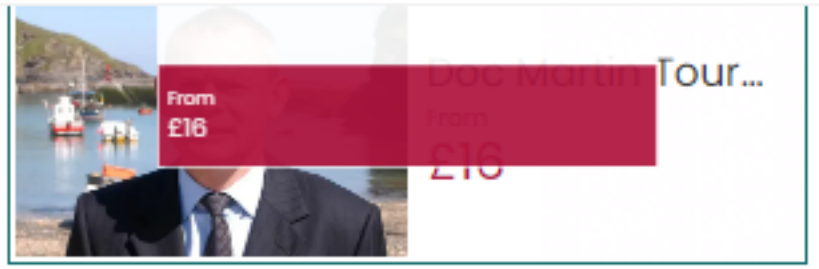
Original samples resulted in a hit on the database for Bernard, who had previously been arrested.

The victim, now in her 30s, was approached by officers and agreed to assist with the police prosecution.

On March 12 Bernard was arrested on suspicion of rape and taken to Lewisham police station. He was charged with rape and pleaded guilty.

Detective Constable Andy Beete, from the cold case team, said: "Bernard was a particularly callous individual who subjected his young victim to the most awful of ordeals.

"I am pleased it has been possible to bring him to justice and commend the victim's bravery in supporting this prosecution.



6 Jamal Edwards cause of death revealed by grieving mother

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ordeals.

"I am pleased it has been possible to bring him to justice and commend the victim's bravery in supporting this prosecution.

"It is highly likely Bernard has committed further sexual offences and I am releasing his image today in the hope anyone who recognises him as a suspect contacts the Sapphire cold case team on 020 7161 1034.

"To remain anonymous call Crimestoppers on 0800 555 111."

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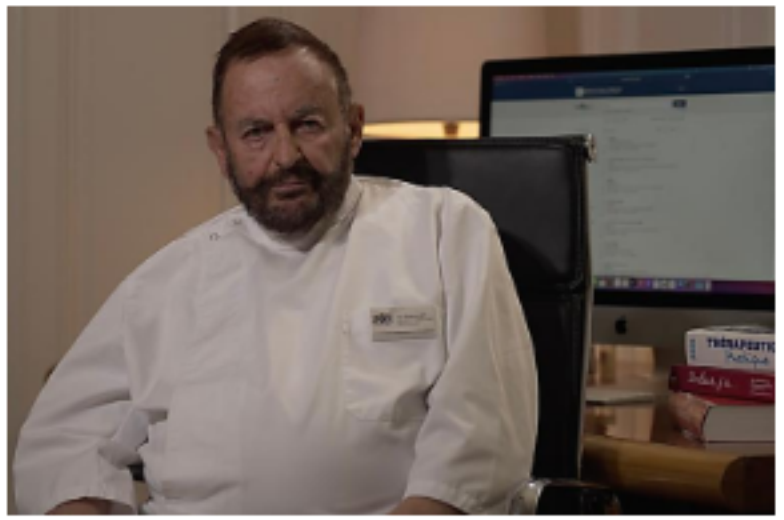

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IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO: J01EC769**

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LAMBETH	Claimant
-and-	
OLIVER BERNARD	Defendant(s)

EXHIBIT "JC2"

This is the Exhibit marked "JC2" referred to in the witness statement of Janet Coote.

Signed .....
Janet Coote

Dated 8th June 2022 .....

METROPOLITAN POLICE TOTAL POLICING

Territorial Policing

Disclosure

Oliver BERNARD

Oliver BERNARD is a convicted registered sex offender, who has been assessed as being high risk. On 12th October 2012, he was sentenced to 8 years imprisonment for rape of 14 year old school girl. Ths was a stranger attack. This offence took place on 25th January 1996 but was not solved until 2012 due to a cold case review and the advancement of DNA technology.

On 25th January 1996,the victim who was 14 years old, was on her way home, when she came across BERNARD. He apparaoched her and spoke to her as if he knew her.

He put his hand over her mouth and below her neck and told her that if she screamed he would cut her throat. She then noticed that he had a stanley knife againsther neck. He took her to an underground garage and raped her. The matter was immediately reported to police but the investigation failed to identify anyone.

In 2011 there was a cold case review and BERNARD was identified as being the person responsible for this offence. He was arrested and denied the offence. He was charged with rape and appeared at The Central Criminal Court (old Bailey) on 17th July 20212, where he pled guilty. He was sentenced on 12th October 2012 and given a 8 year prison sentence.

Bernard denies the offence, although there is foresenic evidence linking him to the victim and the crime scene, but admits sexual activity with her. He poses a risk of harm to young females, whom he could groom and sexually assault.

There is significant risk of harm if the information is not disclosed or shared with the London Borough of Lambeth Housing, especially if he should re-offend.

Due to his conviction he has been placed on the sex offenders register for life.

There is a risk to MAPPA,the police, The Mental Health Trust and London Borough of Lambeth Housing (mainly those in Carfax Place) of substantial criticism if no disclosure is undertaken and BERNARD re-offends.

DC Alvin McLean

Lambeth Public Protection Unit - 0208 649 2071.

Alvin.mclean@met.police.uk

Case No: J01EC769

Clerkenwell & Shoreditch County Court

BETWEEN

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH — Applicant

-and-

Oliver Bernard — Defendant

Hearing Bundle

Hearing Date: 24th August 2022

London Borough of Lambeth
Legal Services
PO Box 733,
Winchester, SO23 5DH
0207 926 2188
Ref: 80242

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Application for Injunction
(General Form)

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Name of court	Claim No.
Clerkenwell and Shoreditch	
Claimant's Name and Ref. London Borough of Lambeth Ref: LS/HP/NF/ 80242	
Defendant's Name and Ref. Oliver Bernard	
Fee Account no. PBA0087109	

Notes on completion

Tick which boxes apply and specify the legislation where appropriate

(1) Enter the full name of the person making the application

(2) Enter the full name of the person the injunction is to be directed to

(3) Set out any proposed orders requiring acts to be done. Delete if no mandatory order is sought.

(4) Set out here the proposed terms of the injunction order (if the defendant is a limited company delete the wording in brackets and insert 'whether by its servants, agents, officers or otherwise').

(5) Set out here any further terms asked for including provision for costs

(6) Enter the names of all persons who have sworn affidavits or signed statements in support of this application

(7) Enter the names and addresses of all persons upon whom it is intended to serve this application

(8) Enter the full name and address for service and delete as required

☐ By application in pending proceedings

☑ Under Statutory provision ASB Crime and Policing Act 2014

☐ This application is made under Part 8 of the Civil Procedure Rules

Seal

This application raises issues under the Human Rights Act 1998 ☐ Yes ☑ No

The Claimant(1) London Borough of Lambeth

applies to the court for an injunction order in the following terms:

The Defendant(2) Oliver Bernard

must(3) please see draft injunction order

The Defendant Oliver Bernard

be forbidden (whether by himself or by instructing or encouraging or permitting any other person)(4)

please see draft injunction order

And that(5)

The grounds of this application are set out in the written evidence of(6) Janet Coote, Babs Olosun and Jummy Rufai sworn (signed) on

This written evidence is served with this application.

This application is to be served upon(7)
The Defendant, Oliver Bernard of 33 Carfax Place, London SW4 7BQ

This application is filed by(8) The Claimant, London Borough of Lambeth
(the Solicitors for) the Claimant (Applicant/Petitioner)
whose address for service is
Lambeth Legal Services, Housing Team, PO Box 733, Winchester, S023 5DH

Signed Dated 05 May 2022

* Name and address of the person application is directed to

To*
of

This section to be completed by the court

This application will be heard by the (District) Judge
at
on the day of 20 at o'clock

If you do not attend at the time shown the court may make an injunction order in your absence
If you do not fully understand this application you should go to a Solicitor, Legal Advice Centre or a Citizens' Advice Bureau

The court office at

is open between 10am and 4pm Mon - Fri. When corresponding with the court, please address all forms and letters to the Court Manager and quote the claim number.

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N260

Statement of Costs (summary assessment)

(CPR PD44 9.5)

In the County Court and Clerkenwell and Shoreditch **Court**	
Case Reference	

Judge/Master

Case Title

[Party]'s London Borough of Lambeth v Oliver Bernard

Statement of Costs for the hearing on Date **(interim application/fast track trial)**

Description of fee earners*

(a) *(name) (grade) (hourly rate claimed)*	Nina Franklin, Garde A, £65 per hour
(b) *(name) (grade) (hourly rate claimed)*	
(c) *(name) (grade) (hourly rate claimed)*	
(d) *(name) (grade) (hourly rate claimed)*	

Attendances on Claimant

Personal attendances

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Letters out/emails

(a) *(number)*	2	hours at £	6.50	£	13
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Telephone

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

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Attendances on opponents (including negotiations):

Personal attendances

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Letters out/emails

(a) *(number)*	1	hours at £	6.50	£	6.5
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Telephone

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Attendance on others:

Personal attendances

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Letters out/emails

(a) *(number)*	2	hours at £	6.50	£	13
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Telephone

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Site inspections etc.

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0

Work done on documents, as set out in schedule: 143

Attendance at hearing:

(a) *(number)*		hours at £		£	0
(b) *(number)*		hours at £		£	0
(c) *(number)*		hours at £		£	0
(d) *(number)*		hours at £		£	0
(e) Fixed costs				£	

(a) *(number)*		hours travel and waiting time £		£	0
(b) *(number)*		hours travel and waiting time £		£	0
(c) *(number)*		hours travel and waiting time £		£	0
(d) *(number)*		hours travel and waiting time £		£	0

Sub Total £ 175.5

(A) Solicitors and Chartered Legal Executives with over eight years post qualification experience including at least eight years litigation experience.

(B) Solicitors and Chartered Legal Executives with over four years post qualification experience including at least four years litigation experience.

(C) Other solicitors and Chartered Legal Executives and fee earners of equivalent experience.

(D) Trainee solicitors, paralegals and other fee earners.

"Chartered Legal Executive" means a Fellow of the Chartered Institute of Legal Executives (CILEx). Those who are not Fellows of CILEx are not entitled to call themselves Chartered Legal Executives and in principle are therefore not entitled to the same hourly rate as a Chartered Legal Executive.

Brought forward £ 175.5

Counsel's fees *(name) (year of call)* TBC

Fee for [advice/conference/documents] £

Fee for hearing £

Other expenses

Court fees £ 332.00

Others *(give brief description)* £

Total £ 481.5

Amount of VAT claimed

on solicitors and counsel's fees £

on other expenses £

Grand Total £ 481.5

The costs stated above do not exceed the costs which the (party) Claimants is liable to pay in respect of the work which this statement covers. Counsel's fees and other expenses have been incurred in the amounts stated above and will be paid to the persons stated.

(party) London Borough of Lambeth

N. Franklin

Signed

05/05/2022

Dated

Nina Franklin

Name of Partner signing

London Borough of Lambeth

Name of firm of solicitors

Schedule of work done on documents

Item	Description of work *(one line only)*	(A) hours	(B) hours	(C) hours	(D) hours	Total £
1	04/5/22 dealing with file opening matters	18 mins				19.50
2	04/05/22 perusal of new claim	24 mins				26.00
3	05/05/22 making amendments to witness stats	30 mins				32.50
4	05/05/22 Draftign injunction order	12 mins				13
5	05/05/22 Drating witness statement of JC	18 mins				19.50
6	05/05/22 drafting n16a	12 mins				13
7	05/05/22 Drafing statememt of costs	18 mins				19.50
8						
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28						
29						
30						
Total						143

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IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN:

THE LONDON BOROUGH OF LAMBETH	**CLAIMANT**
-AND-	
Oliver Bernard	**DEFENDANT**

DRAFT INJUNCTION ORDER

If you do not obey this order you will be guilty of contempt of court and you may be fined or sent to prison or you may be guilty of a criminal offence for which you may be fined or sent to prison or both

Before His Honour District Judge [ ] sitting at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1v 3RE

Upon hearing Counsel for the Claimant and Upon the Defendant having had no notice

On [ ] the court considered an application for an injunction.

And upon the court being satisfied that the Defendant has engaged in anti-social behaviour, and the court considering it just and convenient to grant the injunction for the purpose of preventing the Defendant from engaging in anti-social behaviour

The court ordered that the Defendant, Oliver Bernard of 33 Carfax Place, London SW4 7BQ is forbidden (whether by herself or instructing or encouraging any other person to do so) from:

1. Entering, or attempting to enter, occupy or reside at his usual residence of 33 Carfax Place, London SW4 7BQ.

2. Approaching and/or entering the Carfax Scheme, Sheltered Housing offices situated at Carfax Place, Clapham Common, SW4 7BQ;

3. Making or engaging in any threats of violence, attacking, destruction of property against London Borough of Lambeth or any elected member or employee of London Borough of Lambeth or his neighbours and any other residents at Carfax Place;

4. Causing nuisance or annoyance to any resident or employee or agent of the Claimant of Carfax Place, SW4.

There be a power of arrest attached to this order.

The order shall remain in force until further order of the court.

It is further ordered that the Defendant pay the Claimants costs of this application.

Power of Arrest

And the court, finding that the conditions of section 4 (1) of the Anti-Social Behaviour Crime and Policing Act 2014 are satisfied:

And the court being satisfied that:-

(a) The anti-social behaviour which the Defendant has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons or;

(b) There is a significant risk of harm to other persons from the respondent

There be a powers of arrest attached to prohibitions 1-4 of this order to last until further order.

Notice of Further hearing

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1V 3RE on [ ]

If you do not attend on the date and time shown, the court may make an injunction in your absence.

The Defendant shall be at liberty to apply to vary, stay or set aside this order upon 72 hours notice to the Court and the Claimant.

Injunction Order

Between Oliver Bernard, Defendant
and London Borough Of Lambeth, Claimant

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Claimant (including ref.)	London Borough Of Lambeth LS/HP/NF/80242
Defendant (including ref.)	Oliver Bernard

London Borough Of Lambeth
Lambeth Legal Services
Housing Team
Po Box 733
Winchester
SO23 5DH

THE COUNTY COURT

IF YOU, THE WITHIN-NAMED DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND PUNISHED BY BEING IMPRISONED OR FINED, OR YOUR ASSETS CONFISCATED OR YOU COULD RECIEVE OTHER PUNISHMENT UNDER THE LAW

Before District Judge Naidoo sitting at the County Court at Clerkenwell and Shoreditch, Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE on 18 May 2022

UPON hearing Counsel for the Claimant

AND UPON considering the Claimant's application for an injunction dated 5 May 2022 and the evidence therein

AND UPON the application being heard without notice to the Defendant pursuant to section 6 of the Anti Social Behaviour, Crime and Policing Act 2014

AND UPON hearing further evidence under affirmation of Janet Coote, Tenancy Enforcement Officer of the Claimant, at the hearing including:

a. That she made requests for police disckosure and the medical background of the Defendant;

b. She recently recieved correspondence from the prison that the Defendant was released from prison before the start of his tenancy confirming the Defendant is under review and/or in contact with the JIGSAW police team that review registered sex offenders and serious violence offenders;

c. That the Defendant has a historic diagnosis of psychosis but is currently not engaged with any support services;

d. That as a result of the incident on 29 April 2022 the Claimant referred the Defendant to Lambeth's Single Point Access (SPA) services in relation to his mental health. SPA recently confirmd the Defendant declined the services stating he did not need assistance and asked the referral to be closed;

e. That the Defendant has been offered alternative independent accommodation. The Defendant confirmed he could not afford to move immediately and it is hoped the Defendant could move into said accommodation next month.

AND UPON the court being satisfied that the Defendant has engaged in anti-social behaviour, and the coyrt considering it just and convenient to grant the injunction for the purpose of preventing the Defendant from enagaging in anti-social behaviour

THE COURT ORDERED that the Defendant, Oliver Bernard of 33 Carfax Place, London, SW4 7BQ is forbidden (whether by himself or encouraging any other person to do so) from:

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place, and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth at Carfax Place.

2. Damaging any property of the London Borough of Lambeth at Carfax Place.

3. Causing nuisance or annoyance to any residents at Carfax Place, and lawful visitor at Carfax Place, or any employee, contractor, or any elected meber of the London Borough of Lambeth at Carfax Place.

4. Costs in the case.

The Order shall remain in force until further order of the court.

Power of Arrest

IT IS FURTHER ORDERED THAT:

There be a Power Of Arrest attached to paragraphs 1 and 2 of this order to last until further order.

The court, finding that the conditions of section 4 (1) of the Anti-Scoial Behaviour, Crime and Policing Act 2014 are satisfied:

And the court being satisfied that:

a. The anti-social behaviour which the Defendant has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons or;

b. There is significant risk iof harm to other persons from the respondent.

Notice of further hearing

The court will reconsider the application and whether the order should continue at a further hearing at the County Court at Clerkenwell and Shoreditch, Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE on **1st June 2022 at 11:30 am t/e 30 minutes face-to-face**

If you do not attend on the date and time shown, the court may make an injunction order in your absence.

The Defendant shall be at liverty to apply to vary, stay or set aside this order upon 72 hours notice to the Court and the Claimant.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

N110A

Power of arrest

Name of court	Claim No.
The County Court at Clerkenwell and Shoreditch	J01EC769
Claimant's name (including ref) **LONDON BOROUGH OF LAMBETH**	
Defendant's name (including ref) **OLIVER BERNARD**	

Name of defendant

OLIVER BERNARD

Defendant's address

33 CARFAX PLACE, LONDON, SW4 7BQ

Date order made 18 May 2022

Name of judge District Judge Naidoo

THE COUNTY COURT

Order made under (insert statutory provision) Section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014

This order includes a power of arrest under (insert statutory provision)

Section 4 (1) of the Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place, and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth at Carfax Place.

2. Damaging any property of the London Borough of Lambeth at Carfax Place.

This power of arrest was ordered on 18/05/2022 **and expires on** Till further order

Note to Arresting Officer
Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

LONDON BOROUGH OF LAMBETH

Claimant's address

LAMBETH LEGAL SERVICES
HOUSING TEAM
PO BOX 733
WINCHESTER
SO23 5DH

Claimant's telephone number

02079262505/07958493209

IN THE COUNTY COURT AT CLERKENWELL & SHOREDITCH

Claim No: J01EC769

B E T W E E N :

LONDON BOROUGH OF LAMBETH Claimant

Ref: LS/HP/INJ/NF/80242

-and-

MR OLIVER BERNARD Defendant

WITNESS STATEMENT OF KEVIN HOWARD (PROCESS SERVER)

I Kevin Howard of the Howard Agency, Berkeley Suite, 35 Berkeley Square, London W1J 5BF, a Process Server over the age of sixteen years, in this instance acting on behalf of London Borough of Lambeth Legal Services Department, PO Box 733, Winchester, SO23 5DH the abovenamed Claimant HEREBY STATE AS FOLLOWS:-

Having been instructed to effect personal service upon the abovenamed Defendant with:-

1. Covering Letter to Defendant from Lambeth Legal Services dated 23/05/22
2. Notice of Hearing of Application dated 18 May 2022
3. Defence Form
4. Sealed Copy of Application for Injunction dated 05/05/2022 with Draft Terms of Order
5. Witness Statement of Jummy Rufai dated 28/04/2022
6. Witness Statement of Janet Coote dated 10/05/2022
7. Witness Statement of Babs Olosun dated 28/04/2022
8. Statement of Costs dated 05/05/2022
9. Sealed Copy of Injunction Order made 18/05/2022
10. Sealed copy of Power of Arrest made 18/05/2022

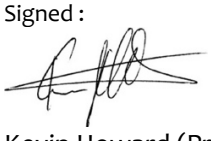
I did at 11.05am on Tuesday 24th May 2022 re-attend at 33 Carfax Place, Clapham, London SW4 7BQ. Having gained access to the building via the Duty Warden, at No.33, I there saw Mr Oliver Bernard, the abovenamed Defendant in these proceedings, who confirmed his identity to me. I delivered to the said Defendant, by handing to him personally, the above listed documents and proceeded to inform him of the stipulations contained in the said Injunction Order. I further informed the Defendant that the matter would be re-considered at 11.30am on 1st June 2022 at the Clerkenwell and Shoreditch County Court, whereby he should attend. The Defendant did not comment and closed the front door.

I hereby now produce and exhibit marked 'KH1', true copies of the documents served upon the Defendant at 33 Carfax Place, Clapham, London SW4 7BQ, as described above.

STATEMENT OF TRUTH

This statement consisting of 1 page signed by me, is true to the best of my knowledge and belief. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed :



Kevin Howard (Process Server for the Claimant)
Dated: 25th May 2022

IN THE COUNTY COURT AT CLERKENWELL & SHOREDITCH

Claim No: J01EC769

B E T W E E N :

LONDON BOROUGH OF LAMBETH — Claimant

Ref: LS/HP/INJ/NF/80242

-and-

MR OLIVER BERNARD — Defendant

EXHIBIT
'KH1'

This is the Exhibit marked 'KH1' referred to in the Statement of

Kevin Howard dated 25/05/22

General Form of Judgment or Order

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Date	1 June 2022

THE COUNTY COURT

LONDON BOROUGH OF LAMBETH	**1st Claimant** **Ref** LS/HP/NF/80242
OLIVER BERNARD	**1st Defendant** **Ref**

IF YOU, OLIVER BERNARD DO NOT COMPLY WITH PARAGRAPH ONE OF THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND PUNISHED BY BEING IMPRISONED OR FINED, OR YOUR ASSETS CONCFISCATED OR YOU COULD RECEIVE OTHER PUNISHMENT UNDER THE LAW.

Before District Judge Pigram sitting at the County Court at Clerkenwell & Shoreditch, The Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE.

UPON hearing Counsel for the Claimant and upon the Defendant in person, but not represented

AND UPON considering the Claimant's application for an injunction dated 5 May 2022 and the evidence therein

AND UPON the Claimant filing and serving during the hearing police disclosure documents and emails from Janet Coote dated 26 May 2022 and 30 May 2022

AND UPON the parties being informed of the next hearing date and time while present at court

IT IS ORDERED THAT

1. The Injunction Order dated 18 May 2022 and Power of Arrest dated 18 May 2022 of District Judge Naidoo do continue until further order of the court.

2. The court will reconsider the Claimant's application for an exclusion order and whether the Injunction order should continue at the next hearing.

3. The hearing be adjourned to **Friday 10 June 2022 at 2pm** at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1V 3RE for the Defendant to seek legal representation and for the Claimant's multi agency meeting to take place (Scheduled for 6 June 2022). Time estimates 45 minutes. Face to face.

4. The Claimant do file and serve any further evidence on which it intends to rely no later than 24 hours before the next hearing.

5. Costs in the case.

Notice to the Defendant:

The court will re consider the application and whether the order should continue at the hearing on 10 June 2022. If you do not attend on the date and time shown, the court may make an injunction in your absence. You are entitled to apply to the court to re-consider the order before that day.

If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre, or a Citizens Advice Bureau.

Dated 1 June 2022

Witness Statement of William Stevens
on behalf of Claimant
date: 09/06/22
No. of Exhibits : x 1 – WS1
Filed:……

IN THE COUNTY COURT AT CLERKENWELL & SHOREDITCH

Claim No: J01EC769

B E T W E E N :

LONDON BOROUGH OF LAMBETH — Claimant

Ref: LS/HP/INJ/NF/80242

-and-

MR OLIVER BERNARD — Defendant

WITNESS STATEMENT OF WILLIAM STEVENS (PROCESS SERVER)

I Williams Stevens of the Howard Agency, Berkeley Suite, 35 Berkeley Square, London W1J 5BF, a Process Server over the age of sixteen years, in this instance acting on behalf of London Borough of Lambeth Legal Services Department, PO Box 733, Winchester, SO23 5DH the abovenamed Claimant HEREBY STATE AS FOLLOWS:-

Having been instructed to effect personal service upon the abovenamed Defendant with:-

1. Covering Letter to Defendant from Lambeth Legal Services dated 08/06/22
2. Hearing Bundle for 10th June 2022

I did at 9.45am on Thursday 9th June 2022 attend at 33 Carfax Place, Clapham, London SW4 7BQ. I there saw Mr Oliver Bernard, the abovenamed Defendant in these proceedings, who confirmed his identity to me. I delivered to the said Defendant, by handing to him personally, the above listed documents and informed him that the matter would be heard at 2.00pm on 10th June 2022 at the Clerkenwell and Shoreditch County Court, whereby he should attend.

I hereby now produce and exhibit marked 'WS1', true copies of the documents served upon the Defendant at 33 Carfax Place, Clapham, London SW4 7BQ, as described above.

STATEMENT OF TRUTH

This statement consisting of 1 page signed by me, is true to the best of my knowledge and belief. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed :

William Stevens (Process Server for the Claimant)
Dated: 9th June 2022

IN THE COUNTY COURT AT CLERKENWELL & SHOREDITCH

Claim No: J01EC769

B E T W E E N :

LONDON BOROUGH OF LAMBETH — Claimant

Ref: LS/HP/INJ/NF/80242

-and-

MR OLIVER BERNARD — Defendant

EXHIBIT
'WS1'

This is the Exhibit marked 'WS1' referred to in the Statement of

William Stevens dated 09/06/22

Injunction Order

Between Oliver Bernard, Defendant
and London Borough Of Lambeth, Claimant

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Claimant (including ref.)	London Borough Of Lambeth LS/HP/NF/80242
Defendant (including ref.)	Oliver Bernard

Oliver Bernard
33 Carfax Place
London
SW4 7BQ

THE COUNTY COURT

IF YOU, OLIVER BERNARD DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND PUNISHED BY BEING IMPRISONED OR FINED, OR YOUR ASSETS CONCFISCATED OR YOU COULD RECEIVE OTHER PUNISHMENT UNDER THE LAW.

BEFORE Deputy District Judge Paul sitting at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1V 3RE on 10 June 2022 (face to face)

UPON hearing Counsel for the Claimant and upon the Defendant in person, but not represented

AND UPON considering the Claimant's application for an injunction dated 5 May 2022 and the evidence therein

AND UPON the Claimant filing and serving a second witness statement from Janet Coote dated 7 June 2022

AND UPON the Defendant indicating that he has been unable to obtain legal representation

AND UPON the Defendant agreeing that he will attend a meeting on Monday, 10 June 2022 at 2pm with Miriam Hargreaves, a social worker from Adult Mental Health Services and a member of the Community Mental Health Team at Gracefield Gardens, 2-8 Gracefield Gardens, Streatham, London.

AND UPON the parties not being informed of the next hearing date and time while present at court

IT IS ORDERED THAT

1. The Injunction Order dated 18 May 2022 and Power of Arrest dated 18 May 2022 of District Judge Naidoo do continue until further order of the court.

2. The court will reconsider the Claimants application for an exclusion order and whether the Injunction order should continue at the next hearing.

3. The hearing be adjourned to the first open date after 7 days, namely on **23 June 2022 at 2:30 PM** at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1V 3RE for the Defendant to seek legal representation (if possible) and for the meeting with Miriam Hargreaves to take place. **Time estimates 45 minutes. Face to face**.

4. The Defendant has permission to apply to vary or discharge this order at any time under not less than 24 hours written notice to the Claimant.

5. The Claimant do file and serve any further evidence on which it intends to rely no later than 72 hours before the next hearing.

6. The Defendant do file and serve any evidence on which he intends to rely no later than 24 hours before the next hearing.

7. Costs in the case.

Notice to the Defendant:

The court will re consider the application and whether the order should continue at the hearing on **23 June 2022 at 2:30 PM**.
If you do not attend on the date and time shown, the court may make an injunction or exclusion order in your absence. You are entitled to apply to the court to re-consider the order before that day.

If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre, or a Citizens Advice Bureau.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

IN THE COUNTY COURT AT CLERKENWELL & SHOREDITCH

Claim No: J01EC769

B E T W E E N :

LONDON BOROUGH OF LAMBETH Claimant

Ref: LS/HP/INJ/NF/80242

-and-

MR OLIVER BERNARD Defendant

WITNESS STATEMENT OF KEVIN HOWARD (PROCESS SERVER)

I Kevin Howard of the Howard Agency, Berkeley Suite, 35 Berkeley Square, London W1J 5BF, a Process Server over the age of sixteen years, in this instance acting on behalf of London Borough of Lambeth Legal Services Department, PO Box 733, Winchester, SO23 5DH the abovenamed Claimant HEREBY STATE AS FOLLOWS:-

Having been instructed to effect personal service upon the abovenamed Defendant with:-

1. Covering Letter to Defendant from Lambeth Legal Services dated 17/06/22
2. Sealed Copy of Injunction dated 10/06/2022

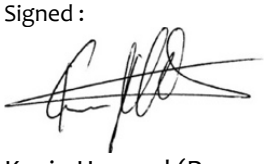
Having made unsuccessful personal service attempts upon the Defendant on Friday 17th June 2022 and I did at 5.20pm on Monday 20th June 2022 re-attend at 33 Carfax Place, Clapham, London SW4 7BQ. Having gained access to the building, I there saw Mr Oliver Bernard, the abovenamed Defendant in these proceedings, who confirmed his identity to me and who was known to me having previously served him. I delivered to the said Defendant, by handing to him personally, the above listed documents and proceeded to inform him of the stipulations contained in the said Injunction Order. I further informed the Defendant that the matter would be re-considered at 2.30pm on 23rd June 2022 at the Clerkenwell and Shoreditch County Court, whereby he should attend. The Defendant explained to me that after 2 weeks of trying and contacting over 20 Solicitors, he was unable to get representation and felt it was unfair to attend court without a Solicitor.

I hereby now produce and exhibit marked 'KH1', true copies of the documents served upon the Defendant at 33 Carfax Place, Clapham, London SW4 7BQ, as described above.

STATEMENT OF TRUTH

This statement consisting of 1 page signed by me, is true to the best of my knowledge and belief. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed :



Kevin Howard (Process Server for the Claimant)
Dated: 22nd June 2022

IN THE COUNTY COURT AT CLERKENWELL & SHOREDITCH

Claim No: J01EC769

B E T W E E N :

LONDON BOROUGH OF LAMBETH — Claimant

Ref: LS/HP/INJ/NF/80242

-and-

MR OLIVER BERNARD — Defendant

EXHIBIT
'KH1'

This is the Exhibit marked 'KH1' referred to in the Statement of

Kevin Howard dated 22/06/22

General Form of Judgment or Order

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Date	24 June 2022

THE COUNTY COURT

LONDON BOROUGH OF LAMBETH	**1st Claimant** **Ref** LS/HP/NF/80242
OLIVER BERNARD	**1st Defendant** **Ref**

Before District Judge Sterlini sitting at the County Court at Clerkenwell & Shoreditch, The Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE.

Upon the parties agreeing that it would be appropriate to adjourn the application to allow them to explore possibilities of the Claimant providing alternative accommodation to the Defendant .

IT IS ORDERED THAT

1. Adjourned to **11:30 AM 24 August 2022**.

2. Costs in application.

Dated 23 June 2022

Relevant Legal Correspondence

Your ref:

Our ref: LS/HP/INJ/NF/80242

23 May 2022

Lambeth Legal Services

Mr Oliver Bernard
33 Carfax Place
SW4 7BQ

BY PERSONAL SERVICE AND / OR THROUGH THE LETTER BOX OF 33 CARFAX PLACE, LONDON SW4 7BQ (THE PREMISES)

Dear Mr Bernard,

Re : London Borough Of Lambeth -V- Oliver Bernard
Case No : J01EC769

We refer to the above matter and write on behalf of our Clients', the London Borough of Lambeth Housing Department.

We have been instructed to issue Injunction Proceedings against you for breach of the terms and conditions of your tenancy. It has been alleged that you have been causing a lot nuisance and anti-social behaviour acts from 33 Carfax Place, London SW4 7BQ (hereinafter referred to as "the premises") and or the locality of the premises.

Please note that based on the instructions we have and the evidence seen, we issued the Application on a "without notice" to you. The Application was heard on 18/05/2022 and an Interim Injunction with Power of Arrest was made by the Court.

Accordingly and in line with the Court Order made, please find enclosed by way of service the following:

1. Notice of Hearing of Application dated 18 May 2022;

2. Defence Form;

3. Sealed Copy of Application for Injunction dated 05/05/2022 with Draft Terms of Order;

4. Witness Statement of Jummy Rufai dated 28/04/2022;

5. Witness Statement of Janet Coote dated 10/05/2022;

London Borough of Lambeth
Legal Services
PO Box 733
Winchester
SO23 5DH

Lexcel THE LAW SOCIETY
INVESTOR IN PEOPLE

6. Witness Statement of Babs Olosun dated 28/04/2022;

7. Statement of Costs dated 05/05/2022;

8. Sealed Copy of Injunction Order made 18/05/2022;

9. Sealed copy of Power of Arrest made 18/05/2022.

As you can see from the enclosed papers, the London Borough of Lambeth has issued and obtained an Injunction Order with Power of Arrest against you on the basis of nuisance and anti-social behaviour from and the locality of your premises as stated earlier.

As you can see, the attached Injunction Order sets out what you MUST NOT DO in terms of the complaints received about your nuisance and anti-social behaviour from and the locality your premises, 33 Carfax Place, London SW4 7BQ.

Please note that a copy of the Injunction Order and Power of Arrest will be lodged with the Local Police in readiness to act upon in the event you commit and breach the terms set out in the Injunction Order as ordered by the Court. That means the Police can arrest you if you are found to have breached the terms set out in the Injunction Order by doing what the court ask you not to do in relation to the Terms of the Injunction made by the Court. We trust you do not want that to happen.

For the avoidance of doubt, we will state that it is in your interest that you familiarise yourself with the terms set out in the Injunction Order and understand what you need to do regarding the matter and as set out by the Court.

Furthermore, and as you can see from the enclosed Court papers, the Court has listed the adjourned hearing of our Injunction Application against you for **1 June 2022 at 11.30AM.**

We advise that it will be to your advantage to contact a Solicitor as a matter of urgency about this matter so that he will be able to represent you on 1 June 2022 at 11.30AM. Lambeth will ask the Court to continue with the and make an Order with the Terms of the Injunction with Power of Arrest at the hearing.

Please understand that Lambeth take this matter extremely seriously.

Finally, we will again advice that you seek independent legal advice as to the contents of this letter, the enclosed court documents, and the matter in general as stated earlier without delay.

Yours faithfully,

Olufemi Durojaiye
On Behalf of Nina Franklin
Legal Services
Direct Line: 020 7926 2359
Email: odurojaiye@lambeth.gov.uk

Your ref:
Our ref: LS/HP/INJ/NF/80242
8 June 2022

Lambeth Legal Services

Oliver Bernard
33 Carfax Place
London
SW4 7BQ

DELIVERED BY PROCESS SERVER

Dear Mr Bernard,

Re : London Borough Of Lambeth -V- Oliver Bernard
Case No : J01EC769
Hearing on 10 June 2022 at 2pm- time estimate is 45 minutes

We write further to the above-named matter.

You will recall that the court has granted an injunction order against you. Please find enclosed a copy of the courts sealed order that we have received today.

At the last hearing, the court directed that the London Borough of Lambeth provide an updating statement to the court of matters that had recently occurred and that this statement should be provided to you,

We therefore enclose 2nd witness statement of Janet Coote for your perusal.

Please note that this matter is coming back to court on 10 June 2022 at 2 pm. We strongly advise you to be in attendance at the hearing and to seek independent legal advice as to the contents of this letter.

Yours faithfully,

Nina Franklin
Legal Services
Direct Line: 020 7926 2505

Encs.

London Borough of Lambeth
Legal Services
PO Box 733
Winchester
SO23 5DH

Lexcel THE LAW SOCIETY
INVESTOR IN PEOPLE

Your ref:
Our ref: LS/HP/INJ/NF/80242
17 June 2022

Lambeth
Legal Services

Oliver Bernard
33 Carfax Place
London
SW4 7BQ

DELIVERED BY PROCESS SERVER

Dear Mr Bernard,

Re : London Borough Of Lambeth -V- Oliver Bernard
Case No : J01EC769
Hearing on 23 June 2022 at 2.30 pm- time estimate is 45 minutes

We write further to the above-named matter.

Please find enclosed a copy of the courts sealed Injunction Order that we have received today.

At the last hearing on 10th June 2022, the court directed that the London Borough of Lambeth provide had permission to file and serve any further updating evidence. They also granted you permission to file and serve any evidence on which you intend to rely on.

Please note that this matter is coming back to court on 23 June 2022 at 2.30 pm. We strongly advise you to be in attendance at the hearing and to seek independent legal advice as to the contents of this letter.

Yours faithfully,

Nina Franklin
Legal Services
Direct Line: 020 7926 2505

Encs.

London Borough of Lambeth
Legal Services
PO Box 733
Winchester
SO23 5DH

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INVESTOR IN PEOPLE

In the County Court at Clerkenwell & Shoreditch

Claim No: J01EC769

B E T W E E N :-

London Borough of Lambeth

Claimant

-and-

Oliver Bernard

Defendant

NOTICE OF ACTING

TAKE NOTICE that we TV Edwards LLP, have been appointed to act for Oliver Bernard and our address for service is 35-37 Mile End Road, London, E1 4TP.
DX 300700 Tower Hamlets

AND FURTHER TAKE NOTICE that our retainer is strictly limited to the terms of any Public Funding Certificate granted to the Oliver Bernard or amendment thereto.

TVEdwards

……
TV Edwards LLP

Dated this 11 day of July 2022

TV Edwards LLP
35-37 Mile End Road, London, E1 4TP. DX 300700 Tower Hamlets

Tel : 020 3340 8000
Fax : 020 3357 9587
Ref : KBN/EBK/BER374/1
Solicitors for the Defendant

To : The Court
The Claimant

Legal Aid Agency

Legal Aid Sentencing and Punishment of Offenders Act 2012
The Civil Legal Aid (Procedure) Regulations 2012
("the Procedure Regulations"), Part 4, Regulation 38.

Notice of Issue of Certificate

No. J01EC769

IN THE Clerkenwell and Shoreditch [COUNTY COURT] ~~[FAMILY COURT]~~

[~~DIVISION~~]

Between London Borough of Lambeth ~~Applicant~~ Applicant/Claimant/~~Petitioner~~[1]

and Oliver Bernard ~~Defendant/Respondent~~[1]

TAKE notice that Certificate No. 30000151760

dated the 4th day of July 2022

has been issued by the Legal Aid Agency

to Oliver Bernard

The certificate is: [x] Emergency [ ] Substantive

The level of service covered by the certificate is:

[ ] Investigative Help [x] Full Representation [ ] Family Help (Higher)

The description/scope[1] of the certificate is:

To be represented in an application for a part 1 injunction under the Anti Social Behaviour, Crime and Policing Act 2014.

Emergency certificates only - the emergency certificate [has] ~~[has not]~~[1] been granted for a specified period. [It will expire on]:[1] 29 August 2022

Dated 11 July 2022

Signed TVEdwards

of TV Edwards LLP

Solicitor for the Defendant

To: the Claimant and the Court

(1) Delete as appropriate

Note to Client's Solicitor

- This notice must be served in accordance with the Procedure Regulations, Part 4, Regulation 38.
- For all non-family certificates this notice must be served when first notifying a potential opponent of a proposed claim, Procedure Regulations, Regulation 38 (2)(a). In all other cases and subject to any pre-action protocol the notice need only be served when proceedings are issued.

Notes to Opponent or Opponent's Solicitor

- Definitions of the different levels of service are contained in the Procedure Regulations.
- If a certificate has already been issued to your client in these proceedings in most cases you must notify your Legal Aid Agency Regional Office that a certificate has been issued to your client's opponent - the Procedure Regulations, Regulation 40(3)(c). However if the certificate related to Family Proceedings there is no need to notify the Regional Office unless the proceedings are subject to Regulation 69 of the Civil Legal Aid (Merits Criteria) Regulations 2012. The Regional Office need not be notified in domestic violence and public or private law children cases.
- All monies payable to the client must be paid to his/her solicitor or, if he/she is no longer represented by a solicitor, to the Legal Aid Agency. This is so even if his/her certificate has been discharged or revoked. Only the solicitor or the Legal Aid Agency is capable of giving good discharge for monies so payable - Regulation 13, Civil Legal Aid (Statutory Charge) Regulations 2013.

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Oyez 7 Spa Road, London SE16 3QQ www.oyezforms.co.uk

Witness Statement for Claimant

Witness Statement of Mr Babs Olosun
on behalf of the Claimant
Date: 28.4.2022
No. of Exhibits:
Filed:

IN THE CLERKENWELL AND SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN

The Mayor & Burgesses of the London Borough of Lambeth — Claimant

-and-

MR OLIVER BERNARD — Defendant(s)

WITNESS STATEMENT OF MR BABS OLOSUN ON BEHALF OF THE CLAIMANT

I, **Babs Olosun** of North Area Office, 91 Kennington Lane London SE11 make this statement as follows:

1. I am a Sheltered Attendant employed by the Claimant and am duly authorised to make this Witness Statement on their behalf.

2. I make this Witness Statement from my own knowledge and my own examination of the Claimant's records.

1. On 27th of April 2022 Mr Oliver Bernard was in the Common room around 9:10am and walked straight to the laundry and later walked back to the kitchen and walked back out to check the office through the office door glass and later went out of the common room area and I feel so suspicious with his

look and walking around without even talk to me and I ask him if I can help him but not a word from him .

2. On 9:45 am Mr Oliver Bernard of flat 33 Carfax place came back again and continued walking around the common room and later looked through the office window and left.

3. On 10:35am Jummy Rufai the Scheme Manager arrived on site, and I brief her with my concerns how Mr Oliver Bernard of flat 33 keep walking around and checking through the office door glass for her. During this conversation between me and Jummy Rufai, Mr Oliver Bernard appear again with load of clothes on his hand to wash and Jummy Rufai the scheme manager approached him that he can, t do washing because it was not his day of using the laundry but this resident says you cannot stop me from using the machine and keep walking to the laundry with the heavy cloth in his hand and Jummy Rufai followed him to the laundry to show him the rota on the wall that he cannot use the washing machine but the resident refused to listen and I, Babs Olosun, told the resident to remove his clothes from the washing machine and leave the laundry and common room.
On his way out of the common room the resident started being aggressive towards J Rufai and shouting with abusive and racist words and obscene language toward Jummy Rufai.

During this time Jummy Rufai has left me the laundry and wait by the common room middle door between the laundry and the common room seating area. When Mr Oliver Bernard noticed that she was standing at the back of the door

he immediately dropped the clothes on the floor and turned back and knocked Jummy down with the fire door and stood on top of her with the phone recording her on the floor and keep shouting with strong abusive and racist word.

3. At 10.44am I quickly called the police has he did not allow Jummy the space to get up from the floor and when I was calling the police he quickly ran out of the common room, and I have to assist J Rufai to get up to the sitting position and she was shaken and crying for help.

4 At 10.55am the police arrived on the scheme and assisted Jummy Rufai to get up from the floor and went to see the resident.

Statement of Truth

'I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.'

SIGNED .....

Babs Olosun

DATED 28/04/2022.....

Witness Statement of Jummy Rufai
on behalf of the Claimant
Date: 28.4.2022
No. of Exhibits:
Filed:

IN THE CLERKENWELL AND SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN

The Mayor & Burgesses of the London Borough of Lambeth — Claimant

-and-

MR OLIVER BERNARD — Defendant(s)

WITNESS STATEMENT OF JUMMY RUFAI ON BEHALF OF THE CLAIMANT

WITNESS STATEMENT OF **Jummy Rufai** ON BEHALF OF THE CLAIMANT

I, **Jummy Rufai** of North Area Office, 91 Kennington Lane London SE11 make this statement as follows:

1. I am a Scheme Manager employed by the Claimant and am duly

authorised to make this Witness Statement on their behalf.

2. I make this Witness Statement from my own knowledge and my own

examination of the Claimant's records.

1. I am writing to inform you about the violent incident instigated by tenant residing in Flat 33 Carfax Place SW4 7BQ, Oliver Bernard (OB), inflicted on me, Jummy Rufai (JR). The attacked happened to me in the Carfax Scheme Communal Lounge. Witnesses present were Scheme Assistant, Babs Olosun (BO) and resident of Flat 61 Carfax Mrs Lillian Bailey (LB).

On Wednesday 27th April 2022 just before 10.40am, I was in the Scheme Office discussing with BO when I observed OB entered the communal lounge, holding a pile of clothes. As he walked past the office headed towards the

middle set of fire doors, I enquired where he was going, gently reminding that his allocated laundry day was Tuesday. OB replied in a raised voice that he would not tolerate a woman dictating what he can or cannot do. LB entered the communal lounge to see me. I continued to explain to OB that the reason he could not do his washing was because the carer to the tenant of Flat 63 was next to use the laundry facilities, according to the pre-allocated time slot on the communal laundry rota. Following this explanation, OB started to exhibit aggressive behaviour: stepping closer to me in an intimidating manner, closing the gap between us and pointing at me with one hand whilst juggling his piles of clothes in the other hand. At that point, I quickly retreated to the safety of the office and was followed by LB who wanted to see me about a different issue. OB was heard yelling and screaming in the common lounge, verbally abusing, complaining about the laundry rota system, and banging hard on the doors and laundry equipment.

Due to the disturbance and my concern for my safety alongside the safety of the other people present in the Scheme building, *I entered the communal lounge and* asked OB to please leave willingly, or I would have to call the police. BO was trying to escort OB out of the laundry area towards the fire exit. However, when OB walked past me as I stood by the fire doors, OB suddenly turned back, threw his clothes on the floor and violently pushed the fire door directly into me with force. The door hit me and caused me to stumble, and I fell backwards, landing on my back. Whilst I was still on the floor, OB stood over me and continued to shout verbal abuse directed at me, He then brought out his phone and proceeded to record me and at the same time preventing me from getting up. I started *to panic and screaming as I was still on the floor* and LB was shouting desperately for help. BO stated he was going to call the police, and following this, OB rushed outside via the fire *exit.* BO was able to help me to sit up on the floor and continued calling the police.

OB left before the police arrived. I was shaken up; my lower back, left shoulder and left side of my neck were hurting from the impact. When the police arrived, I decided to not go to the hospital as I was still in shock and did not realise the extent of the injuries sustained. I minimised my injuries, feeling I had only obtained bruises which perhaps were not severe enough to need medical attention. I reported this physical violent attack to my Line Manager, Sharon Davis and she also help notified the police remotely, and she promptly attended the scheme with the Service Manager, Peter Mokogwu *to* provide immediate support. I gave a police statement and considered whether further actions were needed. I was sent home following the incident to ensure my safety and security, as well as not to further stress myself.

2. Events leading up to the Violence Incident

The tenancy of OB started on 21/03/2022. Since his arrival on the scheme, OB has displayed disorderly conduct on several occasions, often disregarding

the health and safety of other residents. OB has been reported by other tenants that he often plays loud music at night as well as causing Anti-Social Behaviour by using verbal abuse, intimidating other residents and demanding the common room to be opened for him outside of regular operating hours.

I have personally been subjected to OB's unacceptable derogatory and rude behaviour within the Scheme. He smokes in non-smoking areas including the office and he was no to do so but he ignored the advised.

I have reported these concerns to the Sheltered Management, in particular concerns about his disruptive aggressive behaviour and use of abusive language, intimidation towards residents and myself (i.e., yelling at anyone who make any attempt to caution his ASB).

Statement of Truth

'I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.'

SIGNED..... .....

Jummy Rufai

DATED.....28/04/22.....

1st witness statement by Janet Coote
On behalf of the Claimant
Number of exhibits: 2 (marked) JC

In the Clerkenwell & Shoreditch County Court	
Claim No	
Claimant (including ref.)	**The Mayor & Burgesses of the London Borough of Lambeth Ref: BS/HP/80242/NF**
Defendant (including ref.)	**Oliver Bernard ref:**
Date	**05/05/22**

WITNESS STATEMENT OF JANET COOTE

I, Janet Coote, a Tenancy Enforcement Officer employed by the Claimant at London Borough of Lambeth, Resident Services, Fourth floor Civic Centre, 1-7 Town Hall Parade, London SW2 1RJ make this witness statement on behalf of the Claimant in support of their application for possession.

1. I am duly authorised to make this witness statement. I make this statement from my own knowledge and my own examination of the Claimants records unless indicated otherwise.

2. As part of my current position, I am responsible for Enforcing tenancy breaches this includes the issuing of Notice of Seeking Possession and Notices to Quit for breaches of the Council's tenancy terms and conditions; enforcement action in relation to nuisance behaviour, Closure Orders, possession proceedings under Absolute Grounds, anti-social behaviour and other housing matters, e.g. hoarding, noise nuisance, sub-letting and succession.

3. I make this statement from my own knowledge and from reference to the information contained in the legal file, the Claimants computer records anite (information at work), one serve and northgate.

4. The Claimants are seeking an injunction against the Defendant for nuisance behaviour and for engaging in serious conduct that has caused actual physical bodily harm to an employee of the Claimant. The Defendants behaviour has caused residents to have a genuine fear for their lives and their safety.

5. The Defendant was granted a tenancy of 33 Carfax Place, London, SW4 7BQ on 21st March 2022. Please see exhibit **"EA1**".

6. It is clearly outlined in the council's tenancy terms and conditions, (of which accompanied the tenancy agreement) at clause 22 the tenant's duty not to cause nuisance or harass others:-

"22.3 You must not do anything which is, or which is intended to, or which is likely to be a nuisance or danger to other people, or which causes damage to our property or the property of our tenants and lessees, their families, lodgers or visitors.

22.4 You must not be violent, abusive or threatening towards any other person in the Property or the Locality or allow members of your household or invited visitors to do so.

22.5 You must not be violent, abusive or threatening towards any officers, representatives or contractors or allow members of your household or invited visitors to do this. You must not be violent, abusive or threatening towards or discriminate against anyone who also has a right to be in the Property or Locality, because of their race, sex, sexuality, age, religious belief or disability. And you must not allow members of your household or invited visitors to do this"

7. The court will note from the 2 witness statements that accompany the injunction application a detailed narrative of what occurred and why the Claimants have no other option than to seek the courts intervention.

8. On 29th April 2022, I made a Safeguarding referral to the mental health team in order to ascertain whether the Defendant was known to them and if there was any detail that we should be aware of prior to commencing legal proceedings. Adult Social Care Services responded and advised that the Defendant was known to the Community Mental Health Team. A referral has been made to Lambeth Single Point Access (SPA) who deals with mental Health for support. They did not indicate the Defendants diagnosis. Please see Equality Act Review Form at exhibit "**JC2".**

9. I have been informed that another property has been identified for the Defendant to move into, namely 75 William Bonney Estate. The Defendant is going to view the same on 12th May 2022.

10. In light of the documents that have been filed in support of the injunction application, together with the information provided to this Honourable Court in my witness statement, I humbly request that the court grant the terms of the draft injunction sought.

STATEMENT OF TRUTH

I believe that the contents of this Witness Statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes or causes to be made a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed:……..
Janet Coote

10.5.2022
Dated…….……...

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LAMBETH	Claimant
-and-	
OLIVER BERNARD	Defendant(s)

EXHIBIT "JC1"

This is the Exhibit marked "JC1" referred to in the witness statement of Janet Coote.

Signed .....
Janet Coote

10.5.2022
Dated .....

[[[EST_TEN_AGREE – Tenancy Agreement – Secure and Introductory

Directorate of Housing Services

Lambeth

SECURE AND INTRODUCTORY TENANCY AGREEMENT

Property Ref	642579	Address	33 Carfax Place, London, , SW4 7BQ
Tenancy Ref	204599		
Payment Ref	720681010		
Prop Type	Flat	Area Office	Clapham Area
Prop Sub Type	In Block	Bed size	1
Sheltered		Person size	2

FINANCIAL DETAILS

Rent	£ 87.23	Heating	£ 8.76	TV Aerial	£ 0.00
Water Charges	£ 0.00	Hot Water	£ 2.34	Other Charges	£ 1.94
Caretaking	£ 1.44	Lighting	£ 2.71	Window Cleaning	£ 0.00
Estate Cleaning	£ 7.10	Maintenance	£ 1.40	Disinfest &Disinfect	£ 0.74
Sheltered Housing:-		Mgt Service	£ 15.00	Supp/C24	£ 4.10
				TOTAL WEEKLY PAYABLE	£ 132.76

TENANCY START DATE 21st March 2022

TENANT DETAILS

Title	Forename	Surname	Gender	Ethnic Origin	Date of Birth
MR	OLIVER	BERNARD	Male	B	12 Oct 1965

AUTHORISED OCCUPANT DETAILS

Title	Forename	Surname	Gender	Ethnic Origin	Date of Birth	Relation

I/We agree that this tenancy agreement shall take effect subject to the Council's written Tenancy Conditions. I/We acknowledge that I/We have been given a copy of the Tenancy Conditions and a copy of the Tenant's Handbook.

Note: This tenancy agreement will make you an introductory tenant unless you are already a secure tenant. An introductory tenant will automatically become a secure tenant after twelve months unless the council starts possession proceedings to end the tenancy.

Signed _____ Date 15/3/22

Name O BERNARD (Print in Capital Letters)

The Council agrees that this tenancy agreement shall take effect subject to the Council's Tenancy Conditions.

Signed _____ Date 15/3/22

Name Sharnay Hamilton (Print in Capital Letters)

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO:**

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LAMBETH	Claimant
-and-	
OLIVER BERNARD	Defendant(s)

EXHIBIT "JC2"

This is the Exhibit marked "JC2" referred to in the witness statement of Janet Coote.

Signed .....
Janet Coote

Dated 10.5.2022 .....

REVIEW FORM

Pre-action considerations in relation to cases where the tenant may suffer from a disability / protected characteristic

Tenant: Mr Oliver Bernard

Address: 33 Carfax Place, London, SW4 7BQ

Issue: Physical Assault

Lambeth Scheme Manager has been physically assaulted by the tenant of 33 Carfax Place, Oliver Bernard is 56 years old dob12-OCT-1965 and only moved to the sheltered scheme on 21 March 2022. The police were called, and the incident reported.

On 29.4.2022 a Safeguarding referral was made, and a response received which indicates Mr Oliver Bernard is known to the mental Health s117 after care team.

Disability: Mental Health

Action considered: Seeking a Without Notice Injunction

PLEASE CONSIDER AND PROVIDE WRITTEN RESPONSES TO THE FOLLOWING QUESTIONS:

1. **Policies ('Tenancy Enforcement');**

-Have efforts been made to help the person with the disability?

Yes. Email sent to Adult Social Care Services who advised that Oliver Bernard in known to the Community Mental Health Team. A referral has been made to Lambeth Single Point Access (SPA) who deals with mental Health for support.

Have other services been contacted with a view to intervening and assisting the person with the disability?

Yes. Adult Social Care and Lambeth Single Point Access for the Mental Health to provide support.

Have all efforts failed to resolve the problem? Could anything more be done to assist the person the disability?

Yes. All efforts have been made to support Oliver Bernard.

- (If possession is sought) Is eviction the last resort?

N/A

-Are any other particular polices relevant to this case? (eg Hoarding Policy)

I have had due regard to the below policies:
- **Equality Act 2010**
- **Vulnerable Tenants Policy**
- **Lambeth Tenancy Agreement**

If so, has the policy been taken into account? And, if so, how?

Yes

Support is being provided by Lambeth SPA.

2. **<u>Adults: The Care Act 2014</u>**

-Does the adult have needs for care and support?

Yes

-Has the adult been assessed?

Yes

-What services are being provided to assist with the adult's needs and well-being?

On 29.4.2022, a referral was made to Lambeth Single Point for Mental Health to provide support for Oliver Bernard.

3. **<u>Children: The Children Act 1989</u>**

-Does the child have needs for care and support? **N/A**

-Has the child been assessed? **N/A**

-What services are being provided to assist with the child's needs and well-being? **N/A**

4. **<u>The Equality Act 2010</u>:**

-Does the tenant/family member have a disability that may be a protected characteristic for the purposes of the Equality Act 2010?

Yes, as above

-Is the nuisance behaviour related to this disability?

Yes.

-Have alternatives been considered to this action? If alternatives have been considered, what were they and why are they not considered suitable.

Yes – On 29.4.2022, a referral was made to Lambeth Single Point Access (SPA) for Mental Health to provide support for Oliver Bernard.

-Is the antisocial/nuisance behaviour putting the health and safety of neighbours or other individuals at risk?

Yes

-Can London Borough of Lambeth justify pushing ahead with a possession or injunction claim?

Yes

Due to Oliver Bernard behaviour, it is justified to go ahead with the Injunction Order to safeguard the residents, or any other individuals.

-If it is a mandatory ground for possession then has the tenant been given the opportunity to make representations and have those been considered (*See Part 3: Pre-Action Protocol for Possession Claims by Social Landlords*)? **N/A**

-Is (injunction/possession) a <u>proportionate</u> means of achieving a legitimate aim? Yes

a. Is the objective (ie stopping ASB) sufficient important to justify limiting a fundamental right? Yes

b. Is the measure (injunction/possession) rationally connected to the objective (ie. stopping ASB)? Yes

c. Are the means chosen (injunction/possession) no more than necessary to accomplish the objective (ie. stopping ASB)? Is the effect on the occupier outweighed by the advantages? Yes

In looking at this case, Lambeth must also consider the other residents and individual's/ public health and safety. The council has a duty of care towards all its residents.

Public Sector Equality duty

-Bearing in mind s149(1)(a)(b)(c) of the Equality Act 2010 (see below), has Lambeth had due regard to the 3 aims of s149 Equality Act 2010*? How has it done this? What policies and documents have been considered when having 'due regard' to the various aims?

For example:

Has Lambeth

Considered the specific aspects, and consequences, of that person's impairments (ie. what the person can, and cannot, do)?

YES. Referral made to Adult Social care and Lambeth Single Point of Access (SPA) to support Oliver Bernard.

Considered what connection there is between the disability (and impairments) and the relevant ASB; and whether that disabled person needs to be treated more favourably or differently?

YES. As above. However, the council also have a duty of care to other residents

Considered the likely effect of the disability (and impairments), when taken together with other features, on the disabled person if and when evicted; and, whether, as a result, that person is vulnerable.

YES. Referral made to Lambeth Single Point of Access (SPA) to support Oliver Bernard.

Considered the need to minimise/remove disadvantages suffered by a disabled person?

YES. Referral made to Lambeth Single Point of Access (SPA) to support Oliver Bernard.

Taken steps to meet his/her needs?

YES, as above

Taken steps to take account of his/her disabilities?

Yes

Considered whether more favourable treatment is appropriate?

YES, as above

-Can you confirm - on behalf of London Borough of Lambeth - that you (or another officer) have had due regard to its need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Equality Act 2010; advance equality of opportunity between those who have a relevant protected characteristic

and those who do not share it and foster good relations between persons who share a relevant protected characteristic and those who do not?

In reviewing this case on behalf of London Borough of Lambeth I can confirm that I have had due regard to its need to eliminate discrimination, harassment, victimisation and any other conduct prohibited by the by the Equality Act 2010; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Oliver Bernard is not being treated any less favourable than any other tenant who would have exhibited the same level of ASB at a local authority property. The action that has been taken has nothing to do with any disability or any protected characteristics he may have, or any psychological difficulties that he may be facing. He is being supported by Lambeth SPA.

To this end, I have had due regard to the below policies:

- Equality Act 2010
- Vulnerable Tenants Policy
- Tenancy Enforcement Policy
- Allocations Policy
- Statutory Obligations of the Tenancy Agreement

Signed: Janet Coote
Job Title: Tenancy Enforcement Officer
Date: 03/5/22

Authorised by Ebenezer Appoh
Job Title: Senior Enforcement officer
Date: 3.5.2022

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149 Public sector equality duty

(1) A public authority must, in the exercise of its functions, have due regard to the need to—

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) tackle prejudice, and

(b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

(7) The relevant protected characteristics are—

age;
disability;
gender reassignment;
pregnancy and maternity;
race;
religion or belief;
sex;
sexual orientation.

(8) A reference to conduct that is prohibited by or under this Act includes a reference to—

(a) a breach of an equality clause or rule;

(b) a breach of a non-discrimination rule.

The duty

A public authority should have due regard when exercising its functions to the need to:

(a) Eliminate discrimination, harassment, victimisation and any other conduct which is prohibited by or under this Act;

(b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

(c) Foster good relations between persons who share a relevant protected characteristic and those who do not share it.

2nd witness statement by Janet Coote
On behalf of the Claimant
Number of exhibits: 2 (marked) JC

In the Clerkenwell & Shoreditch County Court	
Claim No	**J01EC769**
Claimant (including ref.)	**The Mayor & Burgesses of the London Borough of Lambeth Ref: BS/HP/80242/NF**
Defendant (including ref.)	**Oliver Bernard ref:**
Date	**07/06/22**

SECOND WITNESS STATEMENT OF JANET COOTE

I, Janet Coote, a Tenancy Enforcement Officer employed by the Claimant at London Borough of Lambeth, Resident Services, Fourth floor Civic Centre, 1-7 Town Hall Parade, London SW2 1RJ make this witness statement on behalf of the Claimant in support of their application for possession.

1. I am duly authorised to make this witness statement. I make this statement from my own knowledge and my own examination of the Claimants records unless indicated otherwise.

2. As part of my current position, I am responsible for Enforcing tenancy breaches this includes the issuing of Notice of Seeking Possession and Notices to Quit for breaches of the Council's tenancy terms and conditions; enforcement action in relation to nuisance behaviour, Closure Orders, possession proceedings under Absolute Grounds, anti-social behaviour and other housing matters, e.g. hoarding, noise nuisance, sub-letting and succession.

3. I make this statement from my own knowledge and further to my witness statement dated 10 May 2022, from reference to the information contained in the legal file, the Claimants computer records anite (information at work), one serve and northgate and information that I have managed to ascertain from relevant agencies.

4. Leading up to the hearing on 1st June 2022, I managed to ascertain very important information pertaining to the Defendant. Due to the said information being provided piecemeal, it was not possible for me to put the detail into the form of a statement in readiness for the hearing.

5. At the hearing however, our barrister provided the acquired information to the Judge and the Defendant and directed that the Claimant do file and serve any further evidence on which it intends to rely no later that 24 hours before the next hearing.

6. The court will be aware that the Claimants initially attempted to seek alternative accommodation for the Defendant and had secured a property deemed fit for purpose. On 24 May 2022, Sharnay Hamilton, Income Maximisation Officer advised as follows: -

- *"On Wednesday 18th May, I spoke to Mr Bernard on the telephone and we arranged for him to sign up for 75 William Bonney on Friday 20th at 12.30pm, a confirmation email was also sent on the same day (email attached).*
- *Mr Bernard did not show up for the scheduled appointment, so I had called him at 12.45pm however it rang out then went to voicemail. I therefore sent him a text message and advised if he was not here by 1pm I would have to cancel his sign up for today, and for him to call me. Mr Bernard did not call me back, and I was informed by reception that he had not turned up.*
- *At 4pm on the same day (20th May) I called again, Mr Bernard answered and advised he had forgotten and also that he had "just woken up 2 hours ago". He asked to come on Monday. He mentioned that the police wouldn't think 75 William Bonney is suitable for him, however he didn't explain much further – and advised he would see me on Monday. Appointment was arranged and confirmation was sent to him via email again for Monday 23RD May at 11.30am (attached)*
- *Mr Bernard did not turn up to his sign up for 75 William Bonney. I called him at 12pm, however no answer. Since then, Mr Bernard has not gotten in contact with me via phone or email which he has done in the past. The sheltered housing manager Peter Mokogwu has also tried calling Mr Bernard yesterday*

(23rd) and today to no aval, and has left him a voice message and text, however Mr Bernard has not gotten back in contact with him

- *Last week on 18th May, we arranged removal company Roberts & Dennys to do the move from 33 Carfax to William Bonney for Mr Bernard. They were meant to do video survey with him last week Thursday however Mr Bernard cancelled this with them. They re-arranged a face-to-face survey for Tuesday 24th May at 10am. The removal company have confirmed they were able to do the survey at 33 Carfax today and will be sending quote shortly."*

7. On 24 May 2022, Peter Mokogwu, Head of Sheltered Service advised that: -

"I managed to get him on the phone a few minutes ago, and he said he thought I was expecting a call from a Solicitor firm who he hopes will be helping him with his housing matter and promised to call me back tomorrow before 12 noon. He was served an injunction today.

He said he does not think the property is suitable for him, but when pressed for reason why he said so, did not give any reason but will say when he calls me tomorrow."

8. Nothing further was heard from the Defendant.

9. On 25 May 2022, I received some pertinent information from the police concerning the Defendant. They advised as follows:-

"Good afternoon Janet,

Thank you for contacting me today. I can only apologise that you have not been updated about this individual.

Oliver's index offence was that of Rape of a female under the age of 16, she was 14 years old. It involved a knifepoint abduction/rape of a child previously known to him (he had seen her in the area). The offence took place during the hours of darkness.

He was identified several years later after a Cold case review. He was identified by DNA.

There appeared to be some element of planning and the victim was known in the local community and described by Oliver as a JUNKIE.

He had with him a knife, condom and there was a garaged area, somewhat concealed where the offence could take place. It was not considered a spontaneous act but planned.

He was convicted of Rape in 1996 and received a sentence of 8 years in prison.

He continues to deny the offence and initially in his Police interview he claimed not to be able to recall events. He later, whilst in prison claimed the sex was consensual.

His current diagnosis of Schizophrenia post-dates the offence and was mentioned by Defence at trial, but it was not relied upon as a mitigating factor suggesting that Oliver's MH was not linked to his offending.

Whilst he resided In Croydon his management has been problematic.

I have serious concerns about residency in Lambeth. I note from our records that Lambeth Jigsaw unit was never consulted in this matter, which might have assisted in any suitability checks to the current property.

Disclosure would have been conducted to the relevant parties, should this man commit another sexual offence then this could have a significant impact on all agencies involved. Questions could be asked about what is the current risk management plan? Was this matter considered to be discussed at MAPPA? Who made the decisions and where is documented?

If you need any further assistance, please let me know.
Thanks

DC Alvin McLean
Lambeth Public Protection Unit
Brixton Police Station"

10. Please see newspaper article of the incident at exhibit **"JC1".**

11. Please see police jigsaw notification at exhibit **"JC2"** which I received on 26 May 2022.

12. On 27 May 2022, I received a forwarded update from the scheme manager who was assaulted advising as follows:-

"Good Afternoon Peter,

For your information regarding the above subject matter, some of the Carfax residents have again reported about a few events that happened at the scheme last weekend. Below are some of the information received:

1. *On Saturday afternoon, Mr Oliver Bernard (OB) was seen parading the communal walkway wearing only short knickers. A resident described the situation as a very frightening and unpleasant one as OB continued to yell and swear around some of the grandchildren of other residents were playing in the scheme communal garden. Residents said they were scared, and everyone has to return to their flats immediately.*

2. *During that same weekend, OB was again seen half naked standing at the middle of the road nearby the scheme as he continued controlling the traffic*

for a while and later returned to the scheme and started throwing items of trash on the communal area through his window.

3. *Two other residents reported that on several occasions, OB hides in the Residents Communal hall / laundry area with the lights off, and he emerges suddenly and walks away as soon as anyone comes into the hall. Another resident said to me that she almost fainted out of fear by this man's action.*

Please also note that I always notice him staring constantly at the office entrance through his kitchen window which is very intimidating and scary to me. On Friday the 13th of May, he came to the office holding a long iron bar and demanding changes to the communal washing rota but when Deen came to the office OB immediately fled. Something needs to get done on time about this resident please.

Kind regards
Jummy"

13. On Monday 6 June 2022, a multi-agency meeting took place. I was not in attendance but my manager has provided to me and our legal team and outcome of the said meeting as follows: -

"Dear all,

Thank you for attending the meeting held today 6.6.2022 to discuss the resident of 33 Carfax place, Mr Oliver Bernard. In attendance were

1. *Margaret Akinso – Head of Tenancy Enforcement team*
2. *Ebenezer Appoh – Senior Tenancy Enforcement officer*
3. *Peter Mokogwu – Sheltered Housing service manager*
4. *Debbie Wilson - Allocations & Verifications Team Manager*
5. *Ida Mensah – Social Worker*
6. *DC Alvin McLean– Police*
7. *Natasha J. Mckenna – Police*

- *It was established during the meeting that the police unit in Croydon did not supply Lambeth police and the council enough information to decide*
    a. *The type of accommodation to offer*
    b. *Location of the accommodation*
    c. *Whether it was a serious risk to rehouse Mr Bernard in Lambeth.*

- *It was also established that a proper risk assessment was not carried out before Mr Bernard was rehoused as the full details only emerged after he was placed in a Sheltered scheme.*

- *All parties agreed the Sheltered Scheme was not suitable for him so should be placed somewhere else.*

- *The police also confirmed it was dangerous keeping Mr Bernard in Lambeth so it will be very helpful if he was place in an accommodation outside the*

Borough. Debbie explained we will not be able to offer an accommodation outside Lambeth.

- *The police stated they believe Mr Bernard's mental health may be declining as there were some serious incidents which could be linked to his mental health at his former place before he moved to Carfax place.*

- *The police also stated they need to be involved in every step to rehouse Mr Bernard as they must conduct background checks for the area before he is placed there.*

The following action plan was agreed.

- *Ida Mensah to liaise with CMHT to carryout mental health assessment. The AMP team also needs to be involved in the process. Care act assessment and Risk assessment also needs to be carried out. Once the above is carried out, they will be able to determine the type of property Mr Bernard should be place in. For Ida to determine the above,*

    - *Alvin/ Natasha **(police)** should send all the information the police hold on Mr Bernard*
    - *Ebenezer should also send the ASBs and the court outcomes to Ida."*

14. Miriam Hargreaves, Social Worker from Adult Mental Health Service advised on 7 June 2022 as follows: -

***"...** The plan is for myself and the team leader of the CMHT to visit OB on Thursday (9/6/22) morning to assess his mental state and begin the care act assessment. I can update you after this ahead of the court hearing on Friday.*

Is there a contact number for the scheme manager so I can liaise with them re Thursday's visit?

Alvin/Natasha - I can see reference to a care act assessment (in the previous prof meeting minutes of Jan 22) to be done by Croydon which it seems was completed prior to his discharge in April. I wonder if a copy / update was sent to you? If so, could this be shared with me? It would be helpful to know what the outcome was for this. I have also asked the Croydon team but have not yet had a response.

Kind Regards"

15. I shall update the court should any further information be forthcoming from Ms Hargreaves prior to the listed hearing.

16. It is noted that at the time of writing this statement, a copy of the courts sealed order is yet to be received by our legal team.

STATEMENT OF TRUTH

I believe that the contents of this Witness Statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes or causes to be made a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed .....
Janet Coote

8th June 2022
Dated .....

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO: J01EC769**

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LAMBETH — Claimant

-and-

OLIVER BERNARD — Defendant(s)

EXHIBIT "JC1"

This is the Exhibit marked "JC1" referred to in the witness statement of Janet Coote.

Signed .....
Janet Coote

Dated 8th June 2922 .....

News Shopper

Swanley man jailed for raping schoolgirl 16 years ago

News Shopper

Swanley man jailed for raping schoolgirl 16 years ago

Oliver Bernard

By Kelly Smale

Share

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A SWANLEY man has been sentenced to eight years in jail for raping a schoolgirl 16 years ago.

Oliver Bernard, of Lullingstone Avenue, was sentenced at the Old Bailey on Friday (October 12) for the rape of a 14-year-old girl, after the case was re-opened in 2010 by the Met's Sapphire command detectives.

On January 25, 1996 the victim was approached by 47-year-old Bernard as she walked along Christchurch Road in Lambeth.

After asking her for money and a cigarette and being refused, he attempted to engage her in conversation.

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Bernard put his hand over her mouth and threatened to cut her throat if she screamed, before placing a knife to her throat and dragging her into a nearby garage area where he raped her.

Following the incident he attempted to follow her from the scene, but slipped on some ice and fell into a nearby bush. The victim was able to run home and raise the alarm.

Despite numerous inquiries by police, no suspect was identified at the time but the case was re-opened 14 years later by detectives from the cold case Sapphire unit.

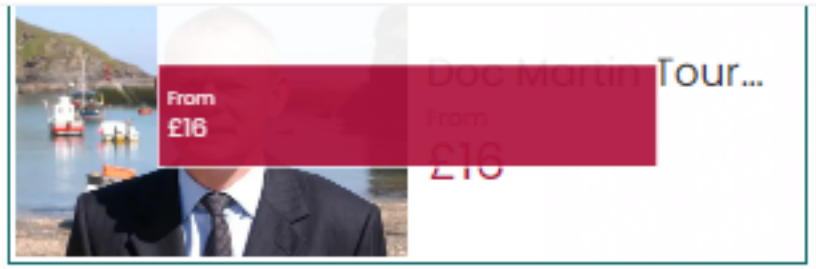
Original samples resulted in a hit on the database for Bernard, who had previously been arrested.

The victim, now in her 30s, was approached by officers and agreed to assist with the police prosecution.

On March 12 Bernard was arrested on suspicion of rape and taken to Lewisham police station. He was charged with rape and pleaded guilty.

Detective Constable Andy Beete, from the cold case team, said: "Bernard was a particularly callous individual who subjected his young victim to the most awful of ordeals.

"I am pleased it has been possible to bring him to justice and commend the victim's bravery in supporting this prosecution.



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ordeals.

"I am pleased it has been possible to bring him to justice and commend the victim's bravery in supporting this prosecution.

"It is highly likely Bernard has committed further sexual offences and I am releasing his image today in the hope anyone who recognises him as a suspect contacts the Sapphire cold case team on 020 7161 1034.

"To remain anonymous call Crimestoppers on 0800 555 111."

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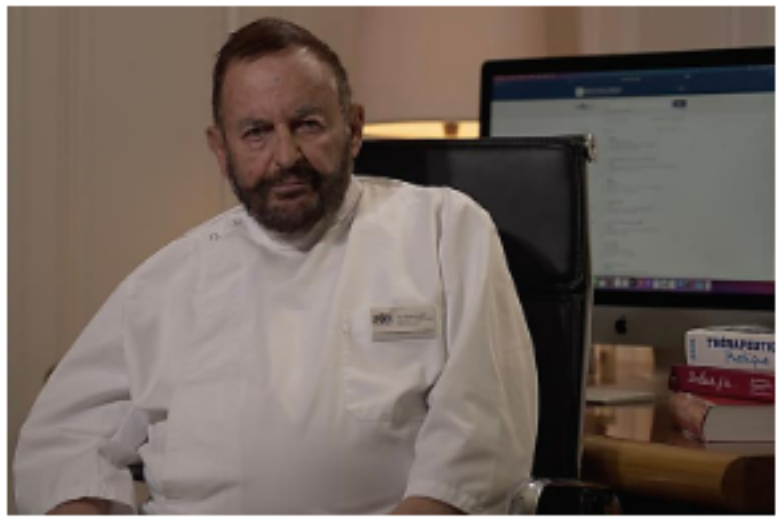

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IN THE CLERKENWELL & SHOREDITCH COUNTY COURT **CASE NO: J01EC769**

BETWEEN:

THE MAYOR & BURGESSES OF THE LONDON BOROUGH OF LAMBETH	Claimant
-and-	
OLIVER BERNARD	Defendant(s)

EXHIBIT "JC2"

This is the Exhibit marked "JC2" referred to in the witness statement of Janet Coote.

Signed .....
Janet Coote

Dated 8th June 2022 .....

METROPOLITAN POLICE TOTAL POLICING

Territorial Policing

Disclosure

Oliver BERNARD

Oliver BERNARD is a convicted registered sex offender, who has been assessed as being high risk. On 12th October 2012, he was sentenced to 8 years imprisonment for rape of 14 year old school girl. Ths was a stranger attack. This offence took place on 25th January 1996 but was not solved until 2012 due to a cold case review and the advancement of DNA technology.

On 25th January 1996,the victim who was 14 years old, was on her way home, when she came across BERNARD. He apparaoched her and spoke to her as if he knew her.

He put his hand over her mouth and below her neck and told her that if she screamed he would cut her throat. She then noticed that he had a stanley knife againsther neck. He took her to an underground garage and raped her. The matter was immediately reported to police but the investigation failed to identify anyone.

In 2011 there was a cold case review and BERNARD was identified as being the person responsible for this offence. He was arrested and denied the offence. He was charged with rape and appeared at The Central Criminal Court (old Bailey) on 17th July 20212, where he pled guilty. He was sentenced on 12th October 2012 and given a 8 year prison sentence.

Bernard denies the offence, although there is foresenic evidence linking him to the victim and the crime scene, but admits sexual activity with her. He poses a risk of harm to young females, whom he could groom and sexually assault.

There is significant risk of harm if the information is not disclosed or shared with the London Borough of Lambeth Housing, especially if he should re-offend.

Due to his conviction he has been placed on the sex offenders register for life.

There is a risk to MAPPA,the police, The Mental Health Trust and London Borough of Lambeth Housing (mainly those in Carfax Place) of substantial criticism if no disclosure is undertaken and BERNARD re-offends.

DC Alvin McLean

Lambeth Public Protection Unit - 0208 649 2071.

Alvin.mclean@met.police.uk

Defendants Assessments

LBL Assessment Conversation

Lambeth Assessment/Review Conversation

Outcome areas of the Care Act 2014:
- Managing and maintaining nutrition
- Maintaining personal hygiene
- Managing toilet needs
- Being appropriately clothed
- Being able to make use of the adult's home safely
- Maintaining a habitable home environment
- Developing and maintaining family or other personal relationships
- Accessing and engaging in work, training, education or volunteering
- Making use of necessary facilities or services in the local community, including public transport, and recreational facilities or services
- Carrying out any caring responsibilities the adult has for a child

Please use the outcome areas to guide the conversation.

Name	Oliver George Bernard
ID	212281

Form type

◉ New user ○ Existing user

Assessment type

○ Telephone ◉ Face to face

Reablement?

○ Yes ◉ No

Capacity: Do you have any difficulty communicating or understanding - e.g. hearing, seeing, speaking, making sense of what you're being asked?

○ Yes ◉ No

☐ Assessment process needs to be paused

Date assessment paused 10/06/2022

Tell Me about yourself

What's going on at the moment for you?

Mr Bernard was referred for a care act assessment but the Lambeth Tenancy Enforcement team who have sought an injunction against him following reports of antisocial behaviour in his sheltered housing scheme. There are a number of anti social behaviour reports made by housing.

His case is now in court which has been adjourned until an assessment from social services and mental health services is completed.

It has not been possible to complete a joint assessment with mental health colleagues as Mr Bernard did not attend out scheduled appointment as he did not have the address to our office reporting the text sent did not arrive in time on 13/06/22.

Mental Health colleagues will attempt to review Mr Bernard week commencing 20/6/22. However I note that upon my assessment there were no psychotic symptoms noted and Mr Bernard reported his mental health was fine and denied any issues. He reported he is compliant with his medication which includes antipsychotic medication. He was agreeable to meet with the mental health team and has been informed he has been allocated a care co-ordinator Patricia Ogunsanu.

I met with Mr Bernard at his home address on 16/06/22 with my colleague Elsie Williams (Social Worker) as arranged with Mr Bernard. Mr Bernard engaged fully in this assessment and was pleasant, coherent and fully able to partake in this assessment and was clear of the reason for the referral and our visit.

This assessment has therefore been completed based on this home visit and from reviewing his NHS clinical records on the South London and Maudsley (SLaM) electric patient journal system (epjs)

Background:

Mr Bernard is a 56 year old Black British Gentleman living in his own flat in a sheltered Housing Scheme in Lambeth - Carfax Place. He moved to this address from Croydon where he had been placed by Lambeth in Temporary Accommodation where he had lived for 2 yrs following release from prison for an 8 year sentence for sexual offences against a minor.

Mr Bernard did not share details of his personal life or any family but did at one point make reference to having a wife while he was in prison. I note in his records detail of a brother who posed a risk to Mr Bernard. Mr Bernard did not disclose any details on this.

Psychiatric History:

Mr Bernard has a diagnosis of paranoid schizophrenia and is currently on medication for this. He reports he is compliant with his medication and recognises this is essential to staying mentally stable. He denies any current concerns about his mental state.

Clinical notes on epjs state;

Mr Bernard first came into contact with MHA services in 2003 and has a diagnosis of Paranoid Schizophrenia. He has no recorded previous admissions under the mental health act. He reports he is currently stable in his mental state and compliant with his prescribed medication which he collects from his local GP.

From his clincal notes: Relapse indicators include: auditory hallucinations, tactile hallucinations, negative symptoms characterised by poor ADLs, thoughts others know his thoughts / take them out / control them thoughts others can move his body, messages from tv and radio running commentary

Risk to Self - previous report of suicidal behaviour in prison and thoughts to harm self, derogatory hallucinations.

Risk from others / vulnerability / safeguarding – reported threat to his life from his brother (2007); has previously said he has been stabbed – no details

Risk to others / Forensic 2012 conviction for rape – custodial sentence 8 years (offence in 1995) and PNC notes female was under 16 years old; used to be destructive to his own property (e.g. smash TV) when thought they were source of voices; previous conviction for GBH – 3 year custodial term served

Forensic History from Police Records:

3 OFFENCES AGAINST THE PERSON (1983-2004)
1 SEXUAL OFFENCES (2012)
1 OFFENCES AGAINST PROPERTY (1998)
6 THEFT AND KINDRED OFFENCES (1980-2004)
6 PUBLIC DISORDER OFFENCES (1983-2011)
7 OFFENCES RELATING TO POLICE/COURTS/PRISONS (1992-2010)
2 DRUG OFFENCES (1983-2008)
15 MISCELLANEOUS OFFENCES (1986-2001)

Physical Health:

Mr Bernard reports he has asthma and arthritis for which he takes medication for but denies being in any pain or this impacting his ability to look after himself.

Current Situation: Home Visit 16/06/22:

Mr Bernard's flat was clean and tidy, though sparsely furnished/ decorated. Mr Bernard explained that he is reluctant to buy things such as a new cooker, in case he has to move again. Mr Bernard was dressed in clean jeans and presented as well kempt. He was topless but I note it was a very hot day. During the assessment he made himself a smoothie and explained he cooks as best he can, but lacks cooking facilities such as a cooker for reasons aforementioned.

Mr Bernard denies all accusations that have been made against him in regards to his behaviour at the scheme and maintains his innocence. He feels he has been discriminated against and unfairly targeted, and there is little proof of these incidents, besides the statements of the scheme manager and colleagues. Mr Bernard is of the view that other residents

would attest to his innocence and that he has not behaved as has been stated and reports he has video evidence. It was explained that this is not within my remit but rather a solicitor will be best placed to support his legal case with his housing situation.

Mr Bernard reported he would like to live on his own and does not feel he needs additional support or to be in a sheltered scheme, which based on this assessment I would be in agreement with. Mr Bernard accepts that he cannot live in certain areas of Lambeth and would not be opposed to moving to another London Borough.

I do note that his flat is in need of some repairs mostly to the water pressure / toilet which should be followed up by housing.

Activities of Daily Living:

Mr Bernard reported he is fully independent with all activities of daily living. He is able to cook, wash himself, dress and manage his personal care. However due to outstanding repairs in his flat, this can be difficult. For example, his toilet does not flush due to low water pressure and there is not a steady flow from the taps. He explained that to flush the toilet he has to fill up a bucket and flush this down. I note his toilet/ bathroom was very clean, and I observed the low water pressure which I understand would make washing difficult. Mr Bernard reports he is able to complete his laundry on his own, and reports the issue with the scheme manager arose as there was a misunderstanding about which days he can do his laundry. He denies pushing her over or the incident that has been reported stating the police did not arrest him which would have happened if a crime had been committed. He reports if he had his own washing machine and could do this in his flat he would be able to meet this need without issue. He does not wish to purchase a washing machine in case he has to move again.

Mr Bernard demonstrated competent skills on the computer and was able to show us footage of his flat and previous meetings with a support worker and is able to use emails, his phone and communicate with services and others effectively.

Mr Bernard reported he is able to access the community independently, going to Ace of Clubs (charity hub) doing his shopping, attending appointments and managing his affairs without issue. He reported that he manages his finances independently and his rent is paid directly via HB. He reported he is up to date with all bills and does not have an

	debts. I note that in the last two days he has attended my office and attended to the bank to resolve an issue with a lost card without issue and is able to navigate public transport and access services without difficulty. Mr Bernard has attempted to secure a solicitor for his court case, but is having difficult getting a solicitor to take on his case. He says that he has called many but either they do not respond or do not have capacity. I note that LB Barrister also attempted to contact solicitors with no success. I have provided him with a list of solicitors to contact that were given to me from Housing. He has agreed to contact these as it will be essential he secures legal representation. Based on my assessment there was no evidence to doubt Mr Bernard's' capacity to make decisions about his care needs and accommodation, or involvement in the legal process and capacity is assumed under the Mental Capacity Act 2005. Mr Bernard is not eligible for services under the Care Act as he is able to achieve all outcomes without impact on his mental of physical wellbeing. However, Mr Bernard is a vulnerable man at risk of deterioration in his mental state if made homeless and at risk of discrimination from others. Mr Bernard would benefit from support and advocacy in regards to his housing situation, and I consider it essential that he has legal representation in his court case to ensure access to a fair trial. He would benefit from signposting to services that can support him with practical issues, advocacy and liaising with services such as housing to follow up with outstanding repairs.
How are you managing and what has worked in the past?	Mr Bernard feels he is managing independently at present but notes the ongoing court case with housing and the injunction is impacting his mood and worrying him. He found the input of his support worker Hannah (when he lived in Croydon) very helpful and would benefit from this support again, especially in regards to advocacy and support in with his housing situation.
What do you want to do in the future?	Mr Bernard would like to have his own flat where he is able to live his life and have his housing situation and court case resolved.

Personal relationships and who are important to you?

Name	Telephone	Relationship type

From the above list is there a main carer? Or from the above list has a main carer been identified?

○ Yes ◉ No

Is this a joint assessment, recognising the needs of the carer?

○ Yes ○ No ○ Declined

◉ N/A

Are there any professionals involved in your situation? E.g. GP, Nurse, Consultants, Occupational therapists

◉ Yes ○ No

Please provide details

Mr Bernard has recently been referred to the South West Short Term Support Team (mental health team) and allocated a care co-ordinator Patricia Ogunsanu
patricia.ogunsanu@slam.nhs.uk

Employment & Training

Paid Employment or Voluntary Work?

Not working and not currently seeking work

Education or training?

Not in education or training

Fire Risk

Is there an identified fire risk?

○ Yes ◉ No

Can the person evacuate the property unaided?

◉ Yes ○ No

How?

Independently mobile

Is a referral to LFB required for a smoke alarm

○ Yes ○ No ○ Declined

Accommodation

Tenure type	
Accommodation type	
Access notes (please consider the layout of the property and include any information that you have around this)	

Service user type

☐ Older Persons ☐ Physical Disabilities

☐ Learning Disabilities ☐ Mental Health

☐ Older Persons Mental Health ☐ Substance Misuse Team

Personal Details

Name	Mr Oliver George Bernard
Address	33 Carfax Place London SW4 7BQ
Date of Birth	12-Oct-1965
Age	56
Gender	Male
Which of the following options best describes how you think of yourself?	Not known (not recorded)
Ethnicity	Not Known or Stated
NI Number	
NHS Number:	432 687 9297
Primary Service User Group	Mental Health Support

GP Surgery Telephone

Continuing Health Care (CHC) Assessment

Does this person require a CHC assessment

○ Yes ◉ No

Financial Assessment

Have you discussed the charging policy?

○ Yes ◉ No

Why not? No services recommended

Next Actions

Selected Next Actions

Next Action	Assigned to	Reason
LBL Closed - Advice Given		

LBL ASC Eligibility Criteria

Criteria

Please give details of any adaptation or equipment that has been put in

1. Managing and maintaining nutrition

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

2. Maintaining personal hygiene

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

3. Maintaining toilet needs

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

4. Being appropriately clothed

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

5. Being able to make use of the home safely

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

6. Maintaining a habitable home environment

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

7. Developing and maintaining family or other personal relationships

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

8. Accessing and engaging in work, training, education or volunteering

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

9. Making use of necessary facilities or services in the local community including transport and recreational facilities/services

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

10. Carrying out any caring responsibilities the adult has for a child

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

Risks

Have any risks been identified?

◉ Yes ○ No

Risk table

Risk identified	Level of risk	Who identified the risk?	Details	Measures to mitigate
Deteriorating mental health	Moderate	Social Worker	Mr Bernard has a diagnosis of paranoid schizophrenia and is currently on psychiatric medication. He is part of an ongoing court case with housing that may impact his mental health increasing associated risks. He is at risk of homelessness which would have	Mr Bernard has been referred to the mental health team to review his mental state and offer support Mr Bernard has been advised to seek legal support to assist him with his legal case and reduce the risk of homelessness which would have a negative impact on his mental

Risk identified	Level of risk	Who identified the risk?	Details	Measures to mitigate
			a negative impact on his mental wellbeing.	state and been provided a list of solicitors to contact.
Risk to others	Moderate	Social Worker	Mr Bernard has a forensic history and has served a prison sentence for sexual offences. There have been more recent reports of violence and aggressive behaviour from the scheme manager and Mr Bernard is accused of assaulting the scheme manager, intimidating behaviour to other residents and anti social behaviour, for which housing seek an injunction	Mr Bernard has been referred to the mental health team to assess his mental state and if this behaviour is linked to his mental health diagnosis and an indication of deteriorating mental state The Police are involved in his housing situation and are to be informed and included in decisions about where Mr Bernard lives Police to be contacted if any further incidents of a criminal nature and appropriate action will be taken by the police as within their remit
Risk from others	Moderate	Social Worker	Mr Bernard reports being discriminated against and unfairly treated by other residents, staff and services due his criminal conviction.	Mr Bernard would benefit from advocacy/support to assist with his housing situation Mr Bernard requires a solicitor and legal support in his pending court case to

Risk identified	Level of risk	Who identified the risk?	Details	Measures to mitigate
			Mr Bernard may be at risk of harm from others or from retaliation if his behaviour is considered risky or threatening.	ensure access to a fair trial

Professional opinion

The Person will be considered eligible for services if:

1. They have needs due to physical or mental impairment or illness
2. Those needs mean they are unable to achieve two or more specified outcomes.
3. And as a consequence there is, or there is likely to be a significant impact on their well-being.The person is unable to achieve an outcome if, they need assistance, or if they are able to achieve it without assistance but causes them pain, distress, anxiety, endangers health or safety and/or takes significantly longer than normally expected. The 9 areas of wellbeing are: personal dignity / physical and mental health and emotional wellbeing / protection from abuse and neglect / control by individual over day to day life / participation in work, education, training or recreation / social and economic well-being / domestic family personal relationships / suitability of living accommodation / the individual's contribution to society

Based on the answers above is the overall impact on the person's wellbeing significant and therefore indicates eligibility?

Eligibility

○ Eligible ◉ Not Eligible

Please provide a summary of the person's well-being

Mr Bernard is a 56 year old man with a historic diagnosis of paranoid schizophrenia. However, he reports his mental state is stable at present and upon assessment is deemed able to achieve all outcomes of the Care Act 2014 and is therefore ineligible for services.

There is no indication that his mental or physical impairment impact his ability to achieve outcomes. He is in agreement with this decision and does not report any difficulty achieving outcomes.

His main area of need is regarding his housing situation and pending court case. Mr Bernard is able to live independently but would benefit from support with liaising with services and advocacy to resolve housing issues. Any issues of a criminal nature should be dealt with by police/ legal system and Mr Bernard would benefit from independent support and advocacy during this process.

Mr Bernard is not eligible for services under the Care Act as he is able to achieve all outcomes without impact on his mental of physical wellbeing. However, Mr Bernard is a vulnerable man at risk of deterioration in his mental state if made homeless and at risk of discrimination from others. Mr Bernard would benefit from support and advocacy in regards to his housing situation, and I consider it essential that he has legal representation in his court case to ensure access to a fair trial. He would benefit from signposting to services that can support him with practical issues, advocacy and liaising with services such as housing to follow up with outstanding repairs.

It is my professional recommendation that he is signposted to support and advocacy agency that can assist him with his housing issues, and that he is able to secure legal representation for his court case.

Information and advice provided

Please provide details of all Information and Advice provided to the service user Information and Advice provided with

Information and advice

Date	info & advice type	Info & advice details provided
17/06/2022	Other	Mr Bernard has been provided a list of solicitors he can contact
17/06/2022	Other	Mr Bernard to be signposted to advocacy and support through Centre 70 and Ace of Clubs
17/06/2022	General	Mr Bernard has been referred to mental health services who will review his mental state and can offer practical support / care co-ordination

IN THE COUNTY COURT **Case No: J01EC769**
AT CLERKENWELL & SHOREDITCH

B E T W E E N

THE MAYOR AND BURGESSES OF
THE LONDON BOROUGH OF LAMBETH

Claimant

and

OLIVER BERNARD

Defendant

MINUTE OF ORDER

BEFORE District Judge Naidoo sitting at the County Court at Clerkenwell and Shoreditch on 24 August 2022

UPON hearing from Counsel for the Claimant and Counsel for the Defendant

UPON Counsel for the Defendant informing the Court that she has concerns as to the Defendant's litigation capacity

UPON the parties to agreeing to inform the Court promptly if for any reason the next hearing cannot be effective

IT IS ORDERED THAT

1. The hearing is adjourned until the first available date after 26 October 2022 with a time estimate of 30 minutes.

2. The Defendant has permission to rely on an expert psychiatric report addressing: (i) whether the Defendant has litigation capacity in relation to these proceedings, (ii) whether the Defendant has capacity to comply with an injunction ('*Wookey* capacity'), (iii) whether the Defendant is disabled within the meaning of s.6 Equality Act 2010, (iv) if so, whether there is a connection between the Defendant's disability and the alleged anti-social behaviour, and (v) other related matters, such as what support might benefit the Defendant and the impact on the Defendant of imposition of an injunction.

3. The Injunction Order dated 18 May 2022 and Power of Arrest dated 18 May 2022 shall continue in force until further order of the court, save that the Power of Arrest attached to paragraph 2 is discharged.

4. Costs in the case.

Your ref:
Our ref: LS/HP/INJ/NF/80242
17 June 2022

Lambeth
Legal Services

Oliver Bernard
33 Carfax Place
London
SW4 7BQ

DELIVERED BY PROCESS SERVER

Dear Mr Bernard,

Re : London Borough Of Lambeth -V- Oliver Bernard
Case No : J01EC769
Hearing on 23 June 2022 at 2.30 pm- time estimate is 45 minutes

We write further to the above-named matter.

Please find enclosed a copy of the courts sealed Injunction Order that we have received today.

At the last hearing on 10th June 2022, the court directed that the London Borough of Lambeth provide had permission to file and serve any further updating evidence. They also granted you permission to file and serve any evidence on which you intend to rely on.

Please note that this matter is coming back to court on 23 June 2022 at 2.30 pm. We strongly advise you to be in attendance at the hearing and to seek independent legal advice as to the contents of this letter.

Yours faithfully,

Nina Franklin
Legal Services
Direct Line: 020 7926 2505

Encs.

London Borough of Lambeth
Legal Services
PO Box 733
Winchester
SO23 5DH

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N244

Application notice

For help in completing this form please read the notes for guidance form N244 Notes.

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Name of court	**Claim no.**
County Court at Clerkenwell and Shoreditch	J01EC769
Fee account no. (if applicable)	**Help with Fees - Ref. no.** (if applicable)
PBA0087920	H W F - -
Warrant no. (if applicable)	
Claimant's name (including ref.) London Borough of Lambeth LS/HP/NF/80242	
Defendant's name (including ref.) Oliver Bernard EBK/BER374/1	
Date	19.10.2022

1. What is your name or, if you are a legal representative, the name of your firm?

TV Edwards LLP

2. Are you a ☐ Claimant ☐ Defendant ☒ Legal Representative

☐ Other (please specify)

If you are a legal representative whom do you represent? Oliver Bernard - Defendant

3. What order are you asking the court to make and why?

An Order that TV Edwards be taken off the court record as acting for the Defendant in this matter, and detailed assessment of the Defendant's publicly funded costs. Please refer to the attached witness statement of Emily Black for the reasons why. We request that the Court ensure this application is not put before the Judge with conduct of this case, and the Claimant should not be served with this application, so as to not prejudice the Defendant's position.

4. Have you attached a draft of the order you are applying for? ☐ Yes ☒ No

5. How do you want to have this application dealt with? ☐ at a hearing ☒ without a hearing ☐ at a remote hearing

6. How long do you think the hearing will last? ☐ Hours ☐ Minutes

Is this time estimate agreed by all parties? ☐ Yes ☐ No

7. Give details of any fixed trial date or period: N/A

8. What level of Judge does your hearing need? DDJ/DJ

9. Who should be served with this application? N/A

9a. Please give the service address, (other than details of the claimant or defendant) of any party named in question 9. N/A

10. What information will you be relying on, in support of your application?

- [x] the attached witness statement
- [ ] the statement of case
- [ ] the evidence set out in the box below

If necessary, please continue on a separate sheet.

11. Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

☐ Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

☒ No.

Statement of Truth

I understand that proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

☐ **I believe** that the facts stated in Section 10 (and any continuation sheets) are true.

☒ **The Applicant believes** that the facts stated in Section 10 (and any continuation sheets) are true. **I am authorised** by the Applicant to sign this statement.

Signature

☐ Applicant

☐ Litigation friend (where applicant is a child or a Protected Party)

☒ Applicant's legal representative (as defined by CPR 2.3(1))

Date

Day	Month	Year
19	10	2022

Full name

EMILY KATHRYN BLACK

Name of applicant's legal representative's firm

TV Edwards LLP

If signing on behalf of firm or company give position or office held

SOLICITOR

Applicant's address to which documents should be sent.

Building and street

35-37 Mile End Road

Second line of address

Town or city

London

County (optional)

Postcode

E 1 4 T P

If applicable

Phone number

020 3440 8000

Fax number

020 3357 9587

DX number

DX: 300700 Tower Hamlets

Your Ref.

EBK/BER374/1

Email

emily.black@tvedwards.com

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Statement for the Defendant
Witness: Emily Black
Exhibits: EBK1
Dated: 19 October 2022

CLAIM NO. J01EC769

IN THE COUNTY COURT AT
CLERKENWELL AND SHOREDITCH

BETWEEN:

LONDON BOROUGH OF LAMBETH

CLAIMANT

and

OLIVER BERNARD

DEFENDANT

WITNESS STATEMENT OF EMILY BLACK

I, Emily Black, Solicitor at TV Edwards LLP of 35-37 Mile End Road, London E1 4TP will say as follows:

1. I am a Solicitor employed by TV Edwards LLP and I have conduct of this matter on behalf of the Defendant, Oliver Bernard. I make this statement in support of our application to be taken off the Court Record as acting for Mr Bernard. The facts within this statement are from matters within my own knowledge except where otherwise stated. I exhibit a bundle of documents labelled "EBK1". The numbers in square brackets and in bold throughout this statement refer to the bundle of documents.

Background

2. This firm has been acting for Mr Bernard within these proceedings since 4 July 2022. Mr Bernard has the benefit of a substantive Public Funding Certificate to be represented in these proceedings.

3. The Claimant made its application for an Injunction on 5 May 2022. The Claimant was seeking an Injunction to stop Mr Bernard from entering or attempting to enter his residence and from approaching the Carfax Scheme sheltered housing offices. On 18 May 2022 the Court granted an Injunction, with a Power of Arrest, until further order. The Injunction required the Defendant to refrain from (1) making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place, and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth at Carfax Place; (2) damaging any property of the London Borough of Lambeth at Carfax Place; and (3) causing nuisance or annoyance to any residents at Carfax Place, and lawful visitor at Carfax Place, or any employee, contractor, or any elected member of the London Borough of Lambeth at Carfax Place. The Power of Arrest was attached to the first two paragraphs.

4. The matter was listed for a hearing on 1 June 2022 to reconsider the Claimant's application for an exclusion order and to consider whether the Injunction should remain in place. The Defendant attended this hearing but did not have legal representation at this time. The Claimant filed and served police disclosure at the hearing. The Court ordered that the Injunction and Power of Arrest should continue but the hearing was adjourned to 10 June 2022 to allow the Defendant to seek legal representation and for a multi-agency meeting to take place.

5. A further hearing took place on 10 June 2022, which was adjourned to 23 June to allow the Defendant to seek legal representation and for a meeting with Miriam Hargraves, social worker from Adult Mental Health Services, to take place.

6. A further hearing took place on 23 June 2022, which was adjourned to 24 August 2022 to allow the Claimant and the Defendant to explore possibilities of the Claimant providing alternative accommodation to the Defendant.

7. The Defendant then instructed this firm, and we represented him at the hearing on 24 August. At this hearing, counsel for the Defendant raised concerns about the Defendant's capacity to conduct these proceedings. As such, DJ Naidoo adjourned the case until the first available date after 26 October 2022 and gave the Defendant permission to rely on an expert psychiatrist report addressing: (i) whether the Defendant has litigation capacity in relation to these proceedings, (ii) whether the Defendant has capacity to comply with an injunction ('Wookey capacity'), (iii) whether the Defendant is disabled within the meaning of s.6 Equality Act 2010, (iv) if so, whether there is a connection between the Defendant's disability and the alleged anti-social behaviour, and (v) other related matters, such as what support might benefit the Defendant and the impact on the Defendant of imposition of an injunction. The Injunction Order and Power of Arrest dated 18 May 2022 remained in force until further order, save that the Power of Arrest attached to paragraph 2 be discharged.

Breakdown in relationship between this firm and Mr Bernard

8. The Defendant has been challenging to work with since he instructed this firm.

9. The Defendant is diagnosed with Schizophrenia. His instructions about his compliance with medication to manage his diagnosis have changed throughout the case. I carefully considered the Defendant's capacity to instruct this firm after my initial attendance upon him and had various discussions with my supervisor about the issue. I considered that the Defendant was able to understand information relevant to the proceedings, able to retain that information, use and weigh up that information, and communicate his decisions. This was on the basis that I considered the Defendant understood the impact of the Injunction and he had taken steps to defend it, i.e. by instructing this firm, and that he had not done anything to

breach the Injunction since it was ordered. The Defendant was consistent in the instructions he gave in response to the allegations made by the Claimant.

10. Upon instructing counsel, counsel raised concerns about the Defendant's capacity to conduct these proceedings. Counsel's concerns arose from the fact that she considered there may be a disability discrimination defence and/or counterclaim available to the Defendant, but that he appeared to refuse to acknowledge the potential link between his alleged behaviour and his diagnosis of Schizophrenia.

11. A conference was held between me, counsel, and the Defendant on 22 August 2022. The Defendant's presentation at this meeting had significantly deteriorated since the previous meeting I had with him. The Defendant instructed that he had stopped taking his medication by that point as he had been unable to access it. It was difficult for the Defendant to stay on topic and focused. The Defendant discussed that voices in his head were telling him to let Jummy Rufai (who is a member of staff of the Claimant) win. He also discussed Lucifer and the devil.

12. During the meeting counsel and I explained that it was very important for us to obtain an expert report to support his case – to answer questions such as whether the Defendant has a disability, whether there is any link between the alleged behaviour and the Defendant's diagnosis and whether the Defendant can follow the terms of the injunction. We explained that we were also concerned about his ability to instruct us directly and needed the expert to consider this issue as well.

13. The Defendant agreed to attend an assessment meeting with an independent expert. We confirmed that counsel would ask the Court for permission for such a report at the hearing two days later.

14. I sent an email to the Defendant on 23 August 2022 confirming what we had

agreed at the conference with counsel – namely to ask the Court for directions to allow us to obtain an expert report from an independent psychiatrist. In writing, I explained that the report would cover issues such as whether the Defendant is disabled under the definition in the Equality Act, whether that disability has an impact on his behaviour, and whether he has capacity to instruct us. I explained that we would draft the letter of instruction to the expert and that the report would then likely be disclosed to the court. I asked the Defendant to confirm that he was happy for me to let the Claimant know we would be asking for this in advance of the hearing, but the Defendant did not respond to me.

15. At the hearing on 24 August 2022, counsel for the Defendant raised our capacity concerns to counsel for the Claimant outside the courtroom. The Defendant arrived just as we were about to enter the courtroom. At the hearing Counsel raised our capacity concerns and offered for the Judge to speak with the Defendant privately, which the Judge declined to do. Permission was given for an independent expert report to be obtained, as outlined above at paragraph 7.

16. After the hearing, counsel explained to the Defendant what happened and that we would be arranging for an independent expert to carry out an assessment of the Defendant. The Defendant said this was not a problem. Counsel confirmed to the Defendant that it would be Dr Suleman (a consultant psychiatrist) who would be assessing him. The Defendant's presentation had deteriorated even further by the time we saw him at the hearing, for example he was repeatedly trying to speak to the Judge during the hearing despite my asking him not to.

17. I wrote to the Defendant by email on 24 August to confirm that the appointment for him to see an expert psychiatrist had been arranged for 7 October 2022.

18. I sent a letter of instruction to Dr Suleman on 1 September 2022.

19. I received a voicemail message from the Defendant on 5 September 2022 to ask what happened at the hearing. I returned his call and explained to him that the Court gave us permission to get an expert report from a psychiatrist which would address things such as the Defendant's ability to instruct us, whether he is able to comply with the terms of the injunction, and whether his diagnosis is linked to the alleged behaviour. The Defendant said that he didn't feel the case was going in the right direction, he just wanted the Injunction to be "squashed", and that he would be recording what Dr Suleman had to say at the appointment. I reiterated to the Defendant about the potential disability discrimination defence/counterclaim and why is the report was important.

20. On 13 September 2022 the Defendant sent an email to me about experiencing involuntary treatment. I understood that he was referring to the appointment with Dr Suleman.

21. On 15 September 2022 I opened a link sent to me by the Defendant of a video on his YouTube channel of his meeting with a third party. In doing so, I discovered that the Defendant had recorded his meeting with me and counsel on 22 August 2022 and posted this on his YouTube channel. This recording was done covertly, neither counsel nor I were aware we were being recorded, and we did not give the Defendant permission to post the videos of us on YouTube.

22. I called the client on 16 September 2022 and told him I had seen the videos and asked him to take them down as they were recorded and posted without our consent. The Defendant denied taking the videos. The Defendant called me again and asked me if I was sure it was a video of me. I confirmed that it was, and the Defendant said he would be sending the videos to the police as he would not have another accusation made against him. The Defendant then called me a further time and said he will always record me, and he records every interview he has. The Defendant said he considered we had

ulterior motives by arranging the appointment with Dr Suleman. I asked the Defendant to remove the videos and he said he would make them private but would make them public again whenever he wished. I advised the Defendant not to record people in future without their consent and he refused to do so. I exhibit my internal notes of these calls [**1-4**].

23. I wrote to the Defendant on 16 September confirming that he did not have my permission to take these videos and post them online. I advised that it could be bad for his case to have these conversations online and accessible. I asked him to take the videos down within 24 hours. I exhibit a copy of this letter [**5-6**].

24. Whilst the Defendant appears to have removed some of the videos, five videos of our meeting remain public on his YouTube channel.

25. Also on 16 September 2022, I wrote to the Defendant to reiterate what happened at the hearing on 24 August and to explain why we consider the psychiatrist report to be necessary in his case. I confirmed the date and time of the appointment with Dr Suleman. I exhibit a copy of this letter [**7-8**].

26. Unfortunately, Dr Suleman had to change the date of the appointment from 7 October to 10 October 2022. I wrote to the Defendant on 26 September to confirm the new date and time of the appointment. I wrote to the Defendant again on 28 September to ask him to confirm that he was able to attend the appointment.

27. My colleague Caroline Bird spoke to the Defendant on the phone on 30 September 2022. The Defendant requested a copy of Dr Suleman's CV and asked if his sister could attend the appointment with him. Ms Bird confirmed to the Defendant by email on 3 October that his sister or another third party could attend the beginning of the appointment whilst a rapport was built between the Defendant and Dr Suleman. Ms Bird also sent a copy of Dr Suleman's CV to the Defendant.

28. Ms Bird called the Defendant and left voicemail messages for him multiple times from 6 – 10 October. On 10 October 2022 Ms Bird spoke to the Defendant and confirmed why his attendance at the appointment was important, and that if he did not attend then we may not be able to act for him any longer. The Defendant confirmed he would not be attending and that he understood the implications of this. I exhibit our internal note of this call [**9-11**].

29. My colleague Katie Brown wrote to the Defendant by email on 3 October, 7 October and 10 October. In her emails of 3 October and 7 October, Ms Brown confirmed that if the Defendant did not attend the appointment with Dr Suleman, we may not be able to continue to act for him as we have concerns about his capacity to instruct us. In her email of 10 October, Ms Brown confirmed that if the Defendant did not attend the appointment then we would be applying to court to come off the record as acting for him on the basis that we cannot take instructions directly from him. I exhibit copies of these emails [**12-14**].

30. The Defendant did not attend the appointment with Dr Suleman on 10 October 2022.

31. I wrote to the Defendant on 12 October 2022 confirming that I considered the retainer between him and this firm had come to an end and so we would not be taking any further action for him. I explained the reasons why and informed him that I would be making an application to come off the court record in seven days from the date of the letter. I exhibit a copy of this letter [**15-17**].

32. I consider that this firm has provided reasonable warning to the Defendant that if he did not attend the appointment with Dr Suleman, then we would no longer be able to act for him. The Defendant confirmed his understanding of the consequences in a telephone call with my colleague. We cannot

continue to act for the Defendant where we have concerns about his capacity to instruct this firm in the proceedings and he has refused to attend an appointment to obtain capacity evidence. I also consider that the relationship of trust and confidence has broken down as the Defendant has not taken our advice in attending the appointment. Further, the Defendant has refused to remove videos that he took of our meetings from YouTube despite my advice that it is not appropriate for those videos be available on a public platform and that I did not consent to these videos being posted.

33. Given the above, I respectfully ask the Court that this firm be removed from the Court record.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Signed… ……

Emily Black

Dated……19 October 2022…….

CLAIM NO. J01EC769

IN THE COUNTY COURT AT CLERKENWELL AND SHOREDITCH

BETWEEN:

LONDON BOROUGH OF LAMBETH

CLAIMANT

and

OLIVER BERNARD

DEFENDANT

EXHIBIT "EBK1"

This is Exhibit marked "EBK1" referred to in the Witness Statement of Emily Black dated 19 October 2022.

Signed… ……

Emily Black

Dated……19 October 2022…….

Statement for the Defendant
Witness: Emily Black
Exhibits: EBK1
Dated: 19 October 2022

CLAIM NO. J01EC769

IN THE COUNTY COURT AT
CLERKENWELL AND SHOREDITCH

BETWEEN:

LONDON BOROUGH OF LAMBETH

CLAIMANT

and

OLIVER BERNARD

DEFENDANT

EXHIBIT EBK1
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TELEPHONE ATTENDANCE NOTE

CLIENT: **Oliver Bernard**

MATTER: **BER374/1 - Injunction - PFC**

DATE: **16/09/2022**

FEE EARNER:EBK

Call to client

EBK explains I have seen that you have posted videos of me and our meetings on YouTube

No I haven't
Wasn't me
Don't know what you're talking about

EBK says I have seen videos of myself on your YouTube channel so I know that you have done it
Anyway – calling to ask you to take them down

I can't take them down because I haven't posted any
Not taken any videos
Don't know what you're talking about
Can you send me a link

EBK says I recognise myself in videos on your YouTube account through a link that you sent me. Taken from your side of the desk
I am asking you to take them down as they were taken without my consent

Didn't take any videos
I'll have a look

Ok thank you

Activity	**Units**
TOUT	1

TELEPHONE ATTENDANCE NOTE

CLIENT: **Oliver Bernard**

MATTER: **BER374/1 - Injunction - PFC**

DATE: **16/09/2022**

FEE EARNER:EBK

Call from client

Are you sure it's a video of you?

Yes

Just you?

Me and the barrister

Ok and does it have your face in it?

Not my face but my body so I'm 100% confident that it's me

Alright then
Will send a copy to the police station
Not having another accusation

EBK says not making an accusation

Client cuts me off – going to the police – goodbye

Activity	**Units**
TIN	1

TELEPHONE ATTENDANCE NOTE

CLIENT: **Oliver Bernard**

MATTER: **BER374/1 - Injunction - PFC**

DATE: **16/09/2022**

FEE EARNER:EBK

Call from client

Emily
How long was this video

Multiple videos – about 10
5 mins long

Someone gave you access to my YouTube channel
I very much doubt it

You sent me a link to a video on your YouTube channel

Ones with interviews of my support worker
Recording
I will always record you
Every interview I will record
As far as I'm concerned
Ulterior motives with psychiatrist appointment
Did you see my email about this

EBK says yes
Acting in your best interests
Advice is to get expert report
Potential discrimination defence etc.
EBK explains understand why you may want to record
To keep a record fo everything, refer back to
But cannot do so without peoples consent

I told you
Psychiatrist appointment
I will be recording
Move to one stupid property
Everything gone all out of shape

EBK says for now
Asking you to remove these videos

Not removing them

But will put on private
If I want to I can go bosh again
Only people who I send them to can see what I recorded now

In future – need to ask for consent before you record

No
I will be recording
I think you have ulterior motives with this psychiatrist
I need verification of whether the witnesses were lying
You're not giving me that
Client shouting for us to get a floor plan

EBK explains as your solicitor
Give you advice
Our advice is appropriate next step is this expert report

We can take it to court then

Going to end the call now
I will check in on the videos again in one hour
If not removed will be speaking to my supervisor

Activity	**Units**
ATT	2

tv edwards
SOLICITORS & ADVOCATES LLP

35-37 Mile End Road | London | E1 4TP

DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

By email only to: oliverbernard521@gmail.com

Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 16 September 2022

Dear Mr Bernard

Videos on your YouTube channel

I write further to our telephone calls this morning about the videos on your YouTube channel of our meeting with your barrister.

I have just checked your channel, and I note that some of the videos are still there.

As discussed, neither me or your barrister gave permission for you to take a video recording of the meeting and publish it online.

Further, it could be bad for your case for private conversations with your lawyers to be online and accessible.

I understand why you may wish to make these recordings, but you do need to ask for authority to do so first in future.

Please ensure that you take down all of the videos within the next 24 hours. If you do not have permission from the people in the other videos on your channel, then I advise that you take those videos down oto.

Please note that I do not want you to publish any of videos of our meetings again in future without my consent.

Yours sincerely

Registered Office: 35-37 Mile End Road, London, E1 4TP.
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LEGAL 500 LEADING FIRM 2021

Emily Black
Solicitor
For and on behalf of TV Edwards LLP

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SOLICITORS & ADVOCATES LLP

35-37 Mile End Road | London | E1 4TP

DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

By email only to: oliverbernard521@gmail.com

Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 16 September 2022

Dear Mr Bernard

YOUR CASE

I write regarding the next steps in your case.

As you know, at the hearing on 24 August 2022 the judge gave permission for you to get a report from an independent, expert psychiatrist. The purpose of this is to assess things such as your capacity to instruct us, to comply with the terms of the injunction, whether your diagnoses mean that you are disabled within the meaning of the Equality Act, and if so whether that disability is linked to the behaviour that your landlord is accusing you of. We have also asked the expert to assess other related matters, for example what impact having an injunction in place may have on you.

I understand that you are not clear on why this psychiatric report is necessary in your case.

Firstly, it is very important that we can be sure that you are able to comply with the terms of the injunction. If your diagnoses mean that you are not able to, then we can tell the court that the injunction should not be in place. Secondly, your landlord has a duty as a local authority to ensure that it has complied with all its duties under the Equality Act, if you are a disabled person.

It is also important due to our duties to you as a client and to the court that we ensure that you can instruct us effectively. I do have concerns about your capacity to instruct me directly due to difficulties we have had so far.

We have arranged an assessment to take place with an independent, expert psychiatrist. The instructions to this expert were drafted by me and your barrister. Your landlord is not involved in the instructions or the assessment whatsoever.

The details of the assessment are below:

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THE TIMES Best Law Firms 2021
The Legal 500 LEADING FIRM 2021

Date: Friday 7th of October 2022
Time: 10:00 AM- 12:00 PM
Venue: Regus, Romer House, 132 Lewisham, High Street, SE13 6EE

You do not have to attend this assessment against your will, but it is our advice as your legal representatives that it is in your best interests to do so and is essential in order for your case to progress.

Please contact me if you have any questions about this letter.

Yours sincerely

Emily Black
Solicitor
For and on behalf of TV Edwards LLP

TELEPHONE ATTENDANCE NOTE

CLIENT: **Oliver Bernard**

MATTER: **BER374/1 - Injunction - PFC**

DATE: **10/10/2022**

FEE EARNER:CBD

CBD tel to client

10:52
To VM. VM left re: CBD from TVE. Need to talk to you about your case. PCB urgently to 8325.

Straight to VM (13:27).

Straight to VM (14:01).

To VM (15:10)

To VM (16:15)

Text to client

“Hi Oliver,

It’s Caroline Bird at TV Edwards Solicitors.

I have tried calling you today but keep getting voicemail.

I need to talk to you urgently about your appointment with Dr Suleman schedule for 5:45pm today, Monday 10 October 2022.

Please call me urgently on 0203 440 8325.

Thank you in advance.

PLEASE DO NOT REPLY TO THIS MESSAGE.”

CBD tel to client

CBD at TVE.

Hello Caroline.

Are you ok?

Fine, thank you.

Good. Are you still going to Dr Suleman's appt today?

I've been trying to tell you I even sent an email to Kathy.

Katie?

Yeah. I sent her email of last time spoke to psychologist. I was with a support worker. Have you seen it?

No

Can I send it to you?

Link to YouTube video?

Yes

Got that.

Watch it.

Not going to make it to appt though?

What is it about?

Capacity to instruct us. Understand that if don't attend, may not be able to act for you.

I understand implications. Doesn't make sense that everywhere I go, before sol acts for me questions capacity to bring counterclaim. Not about me being mentally ill.

Not asking about that. Asking about capacity.

What is that? Why?

EBK or KBN have considered you might have difficulties with instructing them.

No concerns about it – they don't want to go ahead with this – what do I need and just let me know what I can and can't submit. Do it for myself. Move from one place to another – accused of things – no proof. Want firm to ask to see psychologist and if in right capacity of mind to instruct you. What is the point. Just need someone to tell me what to submit or not and let Court decide. They didn't go for eviction. Pictures of what accom looks like but want to blame me for the state it was in. If watch video – me and support worker speaking about this to a psychologist.

EBK will be in touch with you tomorrow.

Watch the video.

If I have time, will watch video.

Just watch intro and go from there.

Take care Oliver.

Activity	**Units**
TOUT x 7	4
PREP	1 – noting up

Emily Black

From: Katie Brown
Sent: 03 October 2022 11:36
To: 'Oliver Bernard'
Cc: Caroline Bird; Emily Black
Subject: Appointment with Dr Suleman - Monday 10 October 2022
Attachments: Suleman, Dr Sajid.pdf

Dear Mr Bernard

I write to confirm your appointment with Dr Suleman on Monday 10 October at 5.45pm.

The venue is **Regus, Romer House, 132 Lewisham, High Street, SE13 6EE**

Dr Suleman has confirmed that your sister / a third party can attend the beginning of the meeting until a rapport is established between yourself and Dr Suleman.

I also attach Dr Suleman's CV for your information and as requested.

It is essential to your case that you attend this meeting with Dr Suleman. If you do not attend the assessment then this firm may not be able to continue to act for you due to our concerns about your capacity to instruct this firm in the proceedings.

Kind regards

Katie Brown

Emily Black

From: Katie Brown
Sent: 07 October 2022 13:45
To: 'Oliver Bernard'
Cc: Caroline Bird; Emily Black
Subject: RE: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital

Dear Mr Bernard

You have forwarded this email below but you have not explained why.

My colleague Caroline has been trying to contact you and has left a voicemail but has not been able to reach you. Can you please call her to discuss your case and to explain why you have sent us this email below? Her number is 020 3440 8325.

I note that the appointment at CWH is at 12noon on Monday. Your appointment with the psychiatrist is at 5.45pm so you should still be able to attend the appointment with Dr Suleman.

As I advised in my previous email, if you do not attend the appointment with Dr Suleman we may not be able to

Regards

Katie Brown

Emily Black

From: Katie Brown
Sent: 10 October 2022 09:38
To: 'Oliver Bernard'
Cc: Caroline Bird; Emily Black
Subject: Your injunction case

Dear Mr Bernard

I note that you have not responded to my email below, but you have sent an email to Emily (which you have then forwarded to me) arguing that “mental health has nothing” to do with your case.

Emily has explained very often during your case why it is important for us to obtain a medical report for your case. The big issue for us at the moment is that we are very concerned about your ability to instruct us directly in your injunction matter. If you do not attend the meeting with the psychiatrist today and we do not obtain a report on your capacity to instruct us then it is highly likely that we will need to ask the court to come off the record as acting for you on the basis that we cannot take instructions directly from you. You would then need to find other lawyers to represent you in the case, and they may also refuse to act for you if they reach the same conclusion as us.

I do feel it would be best for you to speak with my colleague Caroline today so that she can talk through these issues with you. I will ask Caroline to try and call you to speak with you today.

If you do not attend the assessment with Dr Suleman today then the next step will be for us to ask the court to take us off the court record as acting for you. Therefore, I would strongly suggest that you speak with Caroline today and attend the meeting.

Regards

Katie Brown

tv edwards
SOLICITORS & ADVOCATES LLP

35-37 Mile End Road | London | E1 4TP

DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

Also by email to: oliverbernard521@gmail.com

Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 12 October 2022

Dear Mr Bernard

YOUR HOUSING INJUNCTION CASE – END OF RETAINER

I am writing to inform you that I consider the retainer between you and this firm has come to an end and as such, I will not be taking any further action for you.

I set out below the reasons why I consider this firm cannot continue to act for you and what steps I will be taking next.

I arranged an appointment for you to be assessed by an independent expert psychiatrist, Dr Suleman, on Monday 10 October 2022. On 22 August and again on 24 August you confirmed to me and your barrister that you were willing to attend such an appointment. Your barrister and I explained to you the reasons why it is our advice for you to attend this appointment. On 16 September I sent you a letter confirming why it was important for you to obtain a medical report in your case.

I note that when I was on leave my colleague, Katie Brown, wrote to you by email on 3 October and 7 October to confirm that it was essential to your case that you attended the appointment with Dr Suleman and that if you did not attend, then this firm would not be able to continue to act for you. In her email of 10 October, Ms Brown specifically warned you that if you did not attend the appointment with Dr Suleman we would make an application to come off the court record as acting for you.

On 10 October my colleague Caroline Bird spoke with you and again explained why it was important for you to obtain a medical report in your case. During that call you told Caroline that you understood the consequences if you did not attend the appointment with Dr Suleman.

You did not attend the appointment with Dr Suleman on 10 October, against our advice.

Registered Office: 35-37 Mile End Road, London, E1 4TP.
TV Edwards LLP is authorised and regulated by the Solicitors Regulation Authority (465533) and is a Limited Liability Partnership registered in England and Wales number 0C325696. A list of Member Partners, Partners and Consultants is available from the registered office. We use the words "Member Partner" to refer to a member of the LLP, and the word "Partner" to refer to a non member partner of the LLP.

Lexcel Legal Practice Quality Mark Law Society Accredited
TOP RANKED Chambers UK 2021 TV Edwards LLP
THE TIMES Best Law Firms 2021
LEGAL 500 LEADING FIRM

One of the reasons why this assessment was important is because we have concerns about your capacity to instruct this firm in the proceedings. We cannot continue to take instructions from you where we are not confident that you have capacity to instruct us.

You have also written to me to state that if I do not use certain evidence in your case, then you will have to take the view that I am not looking to submit anything on your behalf in this matter.

Further, you have refused to remove videos that you took of our meetings from YouTube. I have explained why it is not appropriate for those videos to be available on a public platform. If your opponent were to view those videos, they could be very harmful to your case. In addition, neither I nor the firm agreed or consented to the recording of those meetings, and we certainly do not give you permission to publish them.

Despite our requests you have failed to remove the videos, which in my view brings an end to the relationship of trust and confidence between you and this firm.

The relationship of trust and confidence between the solicitor and client is very important. Unfortunately, it can happen that this relationship will break down during cases. In such circumstances, the solicitor cannot continue to act and that is why our retainer with you has come to an end.

Given the above, I confirm that I will now do the following:

1. Seven days after the date of this letter, I will make an application to the court for this firm to come off the court record as acting for you in the injunction proceedings. I will send you a copy of the application but not your opponent, as there will be information within the application that will be privileged (and therefore should not be disclosed to your opponent); and
2. Write to the Legal Aid Agency to ask them to discharge (cancel) your funding certificate due to the reasons set out above.

I will not take any further action in relation to your matter. As there is no hearing date listed at present, this will not prejudice your case.

Alternatively, if you agree that this firm should stop acting for you, I enclose an N434 form - change of legal representative, which you can sign and send back to me to confirm this.

You may wish to instruct another firm to assist you. I would advise you to do so as soon as possible before the next hearing is listed. However, you must inform any new firm that you have already received Legal Aid in this matter.

Yours sincerely

Emily Black

Solicitor
For and on behalf of TV Edwards LLP

Notice of change of legal representative

In the	Claim No.
County Court at Clerkenwell & Shoreditch	J01EC769
Name of Claimant *(including ref.)*	
London Borough of Lambeth	
Name of Defendant	
Oliver Bernard	

Note:
You should tick either box A **or** B as appropriate **and** box C. Complete details as necessary.

I (We) give notice that

A ☑ my legal representative *(insert name and address)*

TV Edwards LLP
35-37 Mile End Road, London E1 4TP

has ceased to act for me and I shall now be acting in person.

B ☐ we (*insert name of legal representative*)

have been instructed to act on behalf of the claimant (defendant) in this claim

in place of *(insert name and address of previous legal representative).*

C ☑ I (we) have served notice of this change on every party to the claim (and on the former legal representative).

Address to which documents about this claim should be sent (including any reference)

33 Carfax Place London Postcode S W 4 7 B Q	If applicable	
	Telephone no.	07908 404 232
	Fax no.	
	DX no.	
	Your ref.	

E-mail	oliverbernard521@gmail.com

Signed _____ **Position or office held** _____

(~~Claimant~~)(Defendant)(~~'s legal representative~~)
~~(Litigation friend)~~

If signing on behalf of firm or company

Date __/__/____

For further details of the courts www.gov.uk/find-court-tribunal
When corresponding with the Court, please address forms or letters to the Manager and always quote the claim number.

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General Form of Judgment or Order

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Date	24 June 2022

THE COUNTY COURT

LONDON BOROUGH OF LAMBETH	**1st Claimant** **Ref** LS/HP/NF/80242
OLIVER BERNARD	**1st Defendant** **Ref**

Before District Judge Sterlini sitting at the County Court at Clerkenwell & Shoreditch, The Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE.

Upon the parties agreeing that it would be appropriate to adjourn the application to allow them to explore possibilities of the Claimant providing alternative accommodation to the Defendant .

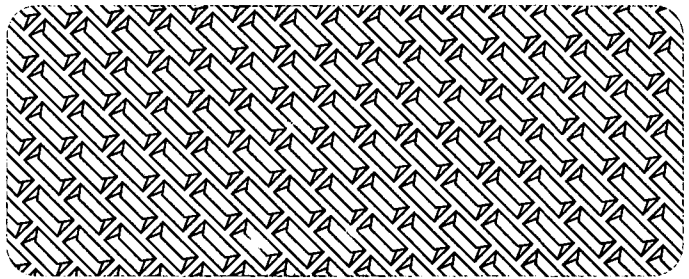
IT IS ORDERED THAT

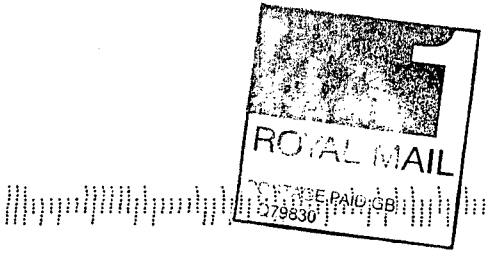
1. Adjourned to **11:30 AM 24 August 2022**.

2. Costs in application.

Dated 23 June 2022

London Borough Of Lambeth
Lambeth Legal Services
Housing Team
Po Box 733
Winchester
SO23 5DH





28 JUN 2022

Lambeth

Date: 15 July 2022

Our ref: 409586
Your ref:

DO NOT IGNORE
Mr Oliver Bernard
33 Carfax Place
London
SW4 7BQ

Dear Mr Bernard,

RE: NOTICE OF SEEKING POSSESSION – 33 Carfax Place, London, SW4 7BQ

The enclosed Notice of Seeking Possession is served to formally terminate the tenancy and to seek Possession of the property because of breaching your tenancy agreement of 33 Carfax Place, London, SW4 7BQ.

This is the first step towards requiring you to give up possession of 33 Carfax Place, London, SW4 7BQ.

I give you notice that you are required to give up possession of 33 Carfax Place, London, SW4 7BQ before the said notice expires on **Monday 15th August 2022**.

The Council now intends to seek possession of 33 Carfax Place, London, SW4 7BQ by arranging a court hearing at the County Court. You will be liable for any court costs awarded, which could be in excess of £325.

Any belongings left will be stored for a period of 7 days (maximum) and then disposed of with no liability to the Council.

If you wish to discuss this matter, please do not hesitate to contact me.

You are advised to seek independent legal advice on this matter.

Yours sincerely,

Janet Coote
Tenancy Enforcement Officer

Lambeth Housing Management
Tenancy Enforcement Team
London Borough Of Lambeth
Fourth floor Civic Centre
1-7 Town Hall Parade
London SW2 1RJ

Telephone: 020 7926 6000
housingmanagement.lambeth.gov.uk

Lambeth

This Notice is the first step towards requiring you to give up possession of your dwelling. You should read it very carefully.

HOUSING ACT 1985
Section 83
Notice of Seeking Possession

WITHOUT PREJUDICE

(1) Name(s) of Secure Tenant(s)

1. **To (1) Mr Oliver Bernard**

If you need advice about this Notice, and what you should do about it, take it as quickly as possible to a Citizen's Advice Bureau, a Housing Aid Centre, or a Law Centre, or to a Solicitor. You may be able to receive Legal Aid, but this will depend on your personal circumstances.

(2) *Insert Name*

2. The Landlord **(2)** The **Mayor and Burgesses of the London Borough of Lambeth** intends to apply to the Court for an order requiring you to give up possession of:

(3) Address of Property

(3) **33 Carfax Place, London, SW4 7BQ**

If you are a secure tenant under the Housing Act 1985, you can only be required to leave your dwelling if your landlord obtains an order for possession from the Court. The order must be based on one of the Grounds which are set out in the 1985 Act (see paragraphs 3 and 4 below).

If you are willing to give up possession without a Court Order, you should notify the person who signed this Notice as soon as possible and say when you would leave.

(4) Give the text in full of each Ground which is being relied on.

3. **Possession will be sought on Ground(s) 1 and 2 of Schedule 2 to the Housing Act 1985 (4), which reads:**

Ground 1

Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has been broken or not performed.

Ground 2

The tenant or person residing in or visiting the dwelling-house

Lambeth

(a) Has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality,
(aa) Has been guilty of causing or likely to cause a nuisance or annoyance to the landlord of the dwelling-house, or a person employed (whether or not by the landlord), in connection with the exercise of the landlord's housing management functions, and that it is directly or indirectly related to or affects those functions, or
(b) Has been convicted of –
i. Using the dwelling-house or allowing it to be used for immoral or illegal purposes, or
ii. An indictable offence committed in, or in the locality of, the dwelling.

Whatever grounds are set out in paragraph 3 of this Notice, the court may allow any other Grounds to be added at a later stage. If this is done, you will be told about it so you can argue at the hearing in court about the new ground, as well as the grounds set out in paragraph 3 if you want to.

(5) Give a full explanation of why each Ground is being relied upon.

4. **Particulars of each ground are as follows (5)**

Your tenancy is subject to the Council's standard terms and conditions for introductory and secure tenancies (2012 edition), which include:

Ground 1.

Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has been broken or not performed.

You have breached Clause 22 of the terms and conditions of your tenancy.

Ground 2:

*Under '**YOUR USE OF THE PROPERTY**' it is stated:*

Your obligations as a Tenant apply to you and anyone else living in or visiting your Home. We will also hold you responsible for any breach of these tenancy conditions by any persons living with you or visiting your Home.

ILLEGAL AND ANTI- SOCIAL BEHAVIOUR

In this section:

(1) The term 'Property' includes the Communal Areas.

(2) The 'Locality' is the general area in which the Property sits.

Lambeth

(3) Where these tenancy conditions require you not to do anything, you must also not permit any of your Household or any visitor to do so.

(4) If any joint tenant, or member of your Household or any visitor does any act which is forbidden by these tenancy conditions you (or in the case of joint tenants, all of you) will be held responsible for that act as if you had yourself done that act:

21 Your duty not to let the Property be used for illegal activities

21.1 You must not use your Property, or permit it to be used, for an illegal purpose or activity.

21.2 You must not carry out any illegal activity in the Locality.

22 Your duty not to cause nuisance or harass others

22.3 You must not do anything which is, or which is intended to, or which is likely to be a nuisance or danger to other people, or which causes damage to our property or the property of our tenants and lessees, their families, lodgers or visitors. For example, you must not: For example, you must not:

(i) play any music or use a radio, television or other equipment in a way which is intended or is likely to annoy any other person;

(ii) allow your dog, or a dog brought into your Property by someone living with you or visiting your Property, to bark in a way which is likely to annoy any other person or to foul the Communal Areas or the Locality;

(iii) put up any sign, notice or advert (except a temporary notice of reasonable size about elections or community events) without our written permission;

(iv) block any Communal Area, either by standing or sitting there or by leaving gas cylinders and other hazardous items, rubbish, prams, bicycles or other objects there;

(v) damage any part of the Property or the Communal Areas;

(vi) throw rubbish or anything from a window or balcony, or anywhere in the estate or Locality;

(vii) feed pigeons or other pests;

(viii) unreasonably rev engines or use noisy machinery or tools;

(ix) damage, deface or write graffiti in the Communal Areas or Locality;

(x) remove wheel clamps fitted by us or our contractors;

(xi) interfere with security and safety equipment;

(xii) tamper with gas or electric supplies or with the meters;

Lambeth

(xiii) *park illegally or contrary to any directions or notice issued by us, or in any way that may hinder the collection of refuse or emergency vehicles or without reasonable consideration for other road-users;*

(xiv) *undertake any activity which produces poisonous fumes;*

(xv) *leave oil or car parts on estates, or in garages or parking areas;*

(xvi) *leave hypodermic needles or syringes in the Locality or dispose of them anywhere except in a designated "sharps" bin.*

22.4 *You must not be violent, abusive or threatening towards any other person in the Property or the Locality or allow members of your household or invited visitors to do so.*

22.5 *You must not be violent, abusive or threatening towards any officers, representatives or contractors or allow members of your household or invited visitors to do this.*

22.6 *You must not be violent, abusive or threatening towards or discriminate against anyone who also has a right to be in the Property or Locality, because of their race, sex, sexuality, age, religious belief or disability. And you must not allow members of your household or invited visitors to do this.*

In breach of the above, you Mr Oliver Bernard of **33 Carfax Place, London, SW4 7BQ,** was seen on the 27th of April 2022, shouting, using abusive racist words and obscene language to the Scheme manager. You then violently attacked the Scheme Manager at Carfax Place causing bruising and alarm and distress.

On Friday 13th May 2022, you came to the office holding a long iron bar intimidating a Lambeth staff member.

On 21st May 2022, we received numerous complaints you were observed parading only wearing shorts/knickers yelling, shouting frightening visitors' children and other residents in the scheme.

On the same day, you were again observed seen half naked standing in the middle of the road controlling the traffic returned to the scheme and started throwing rubbish items on the communal area through your window.

On 21st May 2022, complaints were received that you hide in the Residents Communal Hall / laundry area with the lights off, and you suddenly emerge frightening a resident by your action.

Before the Court will grant an order on any of the Grounds 1 to 8 or 12 to 16, it must be satisfied that it is reasonable to require you to leave. This means that, if one of these Grounds is set out in paragraph 3 of this Notice, you will be able to argue at the hearing in Court that it is not reasonable that you should have to leave, even if you accept that the Ground applies.

Before the Court grants an order on any of the Grounds 9 to 16, it must be satisfied that there will be suitable alternative accommodation for you when you have to leave. This means that the Court will have to decide that, in its opinion, there will be

Lambeth

other accommodation which is reasonably suitable for the needs of you and your family, taking into particular account various factors such as the nearness of your place of work, and the sort of housing that other people with similar needs are offered. Your new home will have to be let to you on another secure tenancy or a private tenancy under the Rent Act of a kind that will give you similar security. **There is no requirement for suitable alternative accommodation where Grounds 1 to 8 apply.**

If your landlord is not a local authority, and the local authority gives a certificate that it will provide you with suitable accommodation, the Court has to accept the certificate.

One of the requirements of Ground 10A is that the landlord must have approval for the redevelopment scheme from the Secretary of State (or, in the case of a housing association landlord, the Housing Corporation). The landlord must have consulted all secure tenants affected by the proposed redevelopment scheme.

(6) Cross out this paragraph if possession is being sought on Ground 2 of Schedule 2 to the Housing Act 1985 (whether or not possession is also sought on another Ground)

~~5. **The Court proceedings for possession will not be begun until after** (6) (7)~~

- ~~*Court proceedings cannot be begun until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end. This means that if you have a weekly or fortnightly tenancy, there should be at least 4 weeks between the date this Notice is given and the date in this paragraph.*~~

(7) Give the date after which Court proceedings can be brought.

- ~~*(7) After this date, Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up, this Notice will lapse and a new Notice must be served before possession can be sought.*~~

(8) Cross out this paragraph if possession is not being sought on Ground 2 of Schedule 2 to the Housing Act 1985.

6. **Court proceedings for possession of the dwelling-house can be begun immediately. The date by which the tenant is to give up possession of the dwelling-house is** (8)

15th August 2022

.....

[give the date by which the tenant is to give up possession of the dwelling-house]

Lambeth

(9) Give the date by which the tenant is to give up possession of the dwelling house.	• *Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up this Notice will lapse and a new notice must be served before possession can be sought.* • *Possession of your dwelling-house cannot be obtained until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end. This means that if you have a weekly or fortnightly tenancy, there should be at least 4 weeks between the date this Notice is given and the date possession is ordered*

Signed: … **……**

Ebenezer Appoh

Senior Tenancy Enforcement Officer

On Behalf of **the Mayor and Burgesses of the London Borough of Lambeth**

Address: **London Borough of Lambeth, Town Hall, Brixton Hill, London, SW2 1RP** Tel: No. 02079266000.

Date: 13.7.2022

Lambeth

The original of this Notice was served by me

Signed: .....

Tenancy Enforcement Officer: Janet Coote

If you wish to discuss this Notice you should contact Janet Coote, Tenancy Enforcement Officer at London Borough of Lambeth, Fourth floor Civic Centre, 1-7 Town Hall Parade, London SW2 1RJ Date 13.7.22

Tel: 020 7926 2621

In the County Court at Clerkenwell & Shoreditch

Claim No: J01EC769

B E T W E E N :-

London Borough of Lambeth

Claimant

-and-

Oliver Bernard

Defendant

NOTICE OF ACTING

TAKE NOTICE that we TV Edwards LLP, have been appointed to act for Oliver Bernard and our address for service is 35-37 Mile End Road, London, E1 4TP.
DX 300700 Tower Hamlets

AND FURTHER TAKE NOTICE that our retainer is strictly limited to the terms of any Public Funding Certificate granted to the Oliver Bernard or amendment thereto.

TVEdwards

……
TV Edwards LLP

Dated this 11 day of July 2022

TV Edwards LLP
35-37 Mile End Road, London, E1 4TP. DX 300700 Tower Hamlets

Tel : 020 3340 8000
Fax : 020 3357 9587
Ref : KBN/EBK/BER374/1
Solicitors for the Defendant

To : The Court
The Claimant

Legal Aid Agency

Legal Aid Sentencing and Punishment of Offenders Act 2012
The Civil Legal Aid (Procedure) Regulations 2012
("the Procedure Regulations"), Part 4, Regulation 38.

Notice of Issue of Certificate

No. J01EC769

IN THE Clerkenwell and Shoreditch [COUNTY COURT] ~~[FAMILY COURT]~~

[~~DIVISION~~]

Between London Borough of Lambeth ~~Applicant~~ Applicant/Claimant/~~Petitioner~~[1]

and Oliver Bernard ~~Respondent~~ Defendant/~~Respondent~~[1]

TAKE notice that Certificate No. 30000151760

dated the 4th day of July 2022

has been issued by the Legal Aid Agency

to Oliver Bernard

The certificate is: [x] Emergency [ ] Substantive

The level of service covered by the certificate is:

[ ] Investigative Help [x] Full Representation [ ] Family Help (Higher)

The description/scope[1] of the certificate is:

To be represented in an application for a part 1 injunction under the Anti Social Behaviour, Crime and Policing Act 2014.

Emergency certificates only - the emergency certificate [has] ~~[has not]~~[1] been granted for a specified period. [It will expire on]:[1] 29 August 2022

Dated 11 July 2022

Signed TVEdwards

of TV Edwards LLP

Solicitor for the Defendant

To: the Claimant and the Court

(1) Delete as appropriate

Note to Client's Solicitor

- This notice must be served in accordance with the Procedure Regulations, Part 4, Regulation 38.
- For all non-family certificates this notice must be served when first notifying a potential opponent of a proposed claim, Procedure Regulations, Regulation 38 (2)(a). In all other cases and subject to any pre-action protocol the notice need only be served when proceedings are issued.

Notes to Opponent or Opponent's Solicitor

- Definitions of the different levels of service are contained in the Procedure Regulations.
- If a certificate has already been issued to your client in these proceedings in most cases you must notify your Legal Aid Agency Regional Office that a certificate has been issued to your client's opponent - the Procedure Regulations, Regulation 40(3)(c). However if the certificate related to Family Proceedings there is no need to notify the Regional Office unless the proceedings are subject to Regulation 69 of the Civil Legal Aid (Merits Criteria) Regulations 2012. The Regional Office need not be notified in domestic violence and public or private law children cases.
- All monies payable to the client must be paid to his/her solicitor or, if he/she is no longer represented by a solicitor, to the Legal Aid Agency. This is so even if his/her certificate has been discharged or revoked. Only the solicitor or the Legal Aid Agency is capable of giving good discharge for monies so payable - Regulation 13, Civil Legal Aid (Statutory Charge) Regulations 2013.

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Oyez 7 Spa Road, London SE16 3QQ www.oyezforms.co.uk

Legal Aid Agency

Legal Aid Sentencing and Punishment of Offenders Act 2012
The Civil Legal Aid (Procedure) Regulations 2012
("the Procedure Regulations"), Part 4, Regulation 38.

Notice of Issue of Certificate

No. J01EC769

IN THE Clerkenwell and Shoreditch [COUNTY COURT] ~~[FAMILY COURT]~~

[~~DIVISION~~]

Between London Borough of Lambeth ~~Applicant~~ Applicant/Claimant/~~Petitioner~~[1]

and Oliver Bernard ~~Respondent~~ Defendant/~~Respondent~~[1]

TAKE notice that Certificate No. 300001517601

dated the 4th day of July 2022

has been issued by the Legal Aid Agency

to Oliver Bernard

The certificate is: ☐ Emergency ☒ Substantive

The level of service covered by the certificate is:

☐ Investigative Help ☒ Full Representation ☐ Family Help (Higher)

The description/scope[1] of the certificate is:

To be represented in an application for a part 1 injunction under the Anti Social Behaviour, Crime and Policing Act 2014.

Emergency certificates only - the emergency certificate [has] [has not][1] been granted for a specified period. [It will expire on]:[1]

Dated 23 August 2022

Signed TVEdwards

of TV Edwards LLP

Solicitor for the Defendant

To: the Claimant and the Court

(1) Delete as appropriate

Note to Client's Solicitor

- This notice must be served in accordance with the Procedure Regulations, Part 4, Regulation 38.
- For all non-family certificates this notice must be served when first notifying a potential opponent of a proposed claim, Procedure Regulations, Regulation 38 (2)(a). In all other cases and subject to any pre-action protocol the notice need only be served when proceedings are issued.

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- All monies payable to the client must be paid to his/her solicitor or, if he/she is no longer represented by a solicitor, to the Legal Aid Agency. This is so even if his/her certificate has been discharged or revoked. Only the solicitor or the Legal Aid Agency is capable of giving good discharge for monies so payable - Regulation 13, Civil Legal Aid (Statutory Charge) Regulations 2013.

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General Form of Judgment or Order

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Date	18 November 2022

THE COUNTY COURT

LONDON BOROUGH OF LAMBETH	**1st Claimant Ref** LS/HP/NF/80242
OLIVER BERNARD	**1st Defendant Ref**

Before District Judge Bell sitting at the County Court at Clerkenwell & Shoreditch, The Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE.

UPON reading the application dated 19 October 2022 of the Defendant's solicitors without a hearing

IT IS ORDERED THAT

1. Tv Edwards are removed from the court record as acting for the Defendant.
2. Until further notice, Defendants address for service is 33 Carfax Place, London, SW4 7BQ.
3. Assessment of Defendants publicly funded costs.

Dated 26 October 2022

Tv Edwards LLP
35-37 Mile End
London
E1 4TP
DX 300700 Tower Hamlets

EBK.

RECEIVED
21 NOV 2022
MER

Injunction Order

Between Oliver Bernard, Defendant
and London Borough Of Lambeth, Claimant

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Claimant (including ref.)	London Borough Of Lambeth LS/HP/NF/80242
Defendant (including ref.)	Oliver Bernard

Oliver Bernard
33 Carfax Place
London
SW4 7BQ

THE COUNTY COURT

IF YOU, OLIVER BERNARD DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND PUNISHED BY BEING IMPRISONED OR FINED, OR YOUR ASSETS CONCFISCATED OR YOU COULD RECEIVE OTHER PUNISHMENT UNDER THE LAW.

BEFORE Deputy District Judge Paul sitting at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1V 3RE on 10 June 2022 (face to face)

UPON hearing Counsel for the Claimant and upon the Defendant in person, but not represented

AND UPON considering the Claimant's application for an injunction dated 5 May 2022 and the evidence therein

AND UPON the Claimant filing and serving a second witness statement from Janet Coote dated 7 June 2022

AND UPON the Defendant indicating that he has been unable to obtain legal representation

AND UPON the Defendant agreeing that he will attend a meeting on Monday, 10 June 2022 at 2pm with Miriam Hargreaves, a social worker from Adult Mental Health Services and a member of the Community Mental Health Team at Gracefield Gardens, 2-8 Gracefield Gardens, Streatham, London.

AND UPON the parties not being informed of the next hearing date and time while present at court

IT IS ORDERED THAT

1. The Injunction Order dated 18 May 2022 and Power of Arrest dated 18 May 2022 of District Judge Naidoo do continue until further order of the court.

2. The court will reconsider the Claimants application for an exclusion order and whether the Injunction order should continue at the next hearing.

3. The hearing be adjourned to the first open date after 7 days, namely on **23 June 2022 at 2:30 PM** at the County Court at Clerkenwell and Shoreditch, Gee Street Court House, 29 – 41 Gee Street, London, EC1V 3RE for the Defendant to seek legal representation (if possible) and for the meeting with Miriam Hargreaves to take place. **Time estimates 45 minutes. Face to face**.

4. The Defendant has permission to apply to vary or discharge this order at any time under not less than 24 hours written notice to the Claimant.

5. The Claimant do file and serve any further evidence on which it intends to rely no later than 72 hours before the next hearing.

6. The Defendant do file and serve any evidence on which he intends to rely no later than 24 hours before the next hearing.

7. Costs in the case.

Notice to the Defendant:

The court will re consider the application and whether the order should continue at the hearing on **23 June 2022 at 2:30 PM**.
If you do not attend on the date and time shown, the court may make an injunction or exclusion order in your absence. You are entitled to apply to the court to re-consider the order before that day.

If you do not understand anything in this order you should go to a solicitor, Legal Advice Centre, or a Citizens Advice Bureau.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

Injunction Order

Between Oliver Bernard, Defendant
and London Borough Of Lambeth, Claimant

In the County Court at Clerkenwell & Shoreditch	
Claim Number	J01EC769
Claimant (including ref.)	London Borough Of Lambeth LS/HP/NF/80242
Defendant (including ref.)	Oliver Bernard KBN/EBK/BER374/1

Tv Edwards Llp
35-37 Mile End Road
London
E1 4TP

THE COUNTY COURT

IF YOU, THE WITHIN-NAMED DO NOT COMPLY WITH THIS ORDER YOU MAY BE HELD TO BE IN CONTEMPT OF COURT AND PUNISHED BY BEING IMPRISONED OR FINED, OR YOUR ASSETS CONFISCATED OR YOU COULD RECIEVE OTHER PUNISHMENT UNDER THE LAW

Before District Judge Naidoo sitting at the County Court at Clerkenwell and Shoreditch, Gee Street Courthouse, 29-41 Gee Street, London, EC1V 3RE on 18 May 2022

UPON hearing Counsel for the Claimant

AND UPON considering the Claimant's application for an injunction dated 5 May 2022 and the evidence therein

AND UPON the application being heard without notice to the Defendant pursuant to section 6 of the Anti Social Behaviour, Crime and Policing Act 2014

AND UPON hearing further evidence under affirmation of Janet Coote, Tenancy Enforcement Officer of the Claimant, at the hearing including:

a. That she made requests for police disckosure and the medical background of the Defendant;

b. She recently recieved correspondence from the prison that the Defendant was released from prison before the start of his tenancy confirming the Defendant is under review and/or in contact with the JIGSAW police team that review registered sex offenders and serious violence offenders;

c. That the Defendant has a historic diagnosis of psychosis but is currently not engaged with any support services;

d. That as a result of the incident on 29 April 2022 the Claimant referred the Defendant to Lambeth's Single Point Access (SPA) services in relation to his mental health. SPA recently confirmd the Defendant declined the services stating he did not need assistance and asked the referral to be closed;

e. That the Defendant has been offered alternative independent accommodation. The Defendant confirmed he could not afford to move immediately and it is hoped the Defendant could move into said accommodation next month.

AND UPON the court being satisfied that the Defendant has engaged in anti-social behaviour, and the court considering it just and convenient to grant the injunction for the purpose of preventing the Defendant from enagaging in anti-social behaviour

THE COURT ORDERED that the Defendant, Oliver Bernard of 33 Carfax Place, London, SW4 7BQ is forbidden
(whether by himself or encouraging any other person to do so) from:

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place, and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth at Carfax Place.

2. Damaging any property of the London Borough of Lambeth at Carfax Place.

3. Causing nuisance or annoyance to any residents at Carfax Place, and lawful visitor at Carfax Place, or any employee, contractor, or any elected meber of the London Borough of Lambeth at Carfax Place.

4. Costs in the case.

The Order shall remain in force until further order of the court.

Power of Arrest

IT IS FURTHER ORDERED THAT:

There be a Power Of Arrest attached to paragraphs 1 of this order to last until further order.

The court, finding that the conditions of section 4 (1) of the Anti-Scoial Behaviour, Crime and Policing Act 2014 are satisfied:

And the court being satisfied that:

a. The anti-social behaviour which the Defendant has engaged or threatens to engage consists of or includes the use or threatened use of violence against other persons or;

b. There is significant risk iof harm to other persons from the respondent.

You may be able to get free legal aid advice. Go online at www.gov.uk/legal-aid for further information

N110A

Power of arrest

Name of court	Claim No.
The County Court at Clerkenwell and Shoreditch	J01EC769
Claimant's name (including ref) LONDON BOROUGH OF LAMBETH	
Defendant's name (including ref) **OLIVER BERNARD**	

Name of defendant

OLIVER BERNARD

Defendant's address

33 CARFAX PLACE, LONDON, SW4 7BQ

Date order made 24 August 2022

Name of judge District Judge Naidoo

Order made under (insert statutory provision) Section 1 of the Anti-Social Behaviour, Crime and Policing Act 2014

THE COUNTY COURT

This order includes a power of arrest under (insert statutory provision)

Section 4 (1) of the Anti-Social Behaviour, Crime and Policing Act 2014

The relevant paragraphs of the order to which a power of arrest has been attached are:
(set out those paragraphs of the order to which the power of arrest is attached, if necessary continue on a separate sheet)

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place, and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth at Carfax Place.

This power of arrest was ordered on 24/08/2022 **and expires on** Till further order

Note to Arresting Officer
Where the defendant is arrested under the power given by section 155 of the Housing Act 1996, or section 27 of the Police and Justice Act 2006; or section 43 of the Policing and Crime Act 2009; or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- the defendant shall be brought before the judge within the period of 24 hours beginning at the time of their arrest;
- a constable shall inform the person on whose application the injunction was granted, forthwith where the defendant is arrested under the power given by section 155 of the Housing Act 1996 or as soon as reasonably practicable where the defendant is arrested under the power given by section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

Nothing in section 155 of the Housing Act 1996 or section 27 of the Police and Justice Act 2006 or section 43 of the Policing and Crime Act 2009 or section 4 of the Anti-Social Behaviour, Crime and Policing Act 2014, shall authorise the detention of the respondent after the expiry of the period of 24 hours beginning at the time of their arrest.

In calculating any period of 24 hours, no account shall be taken of Christmas Day, Good Friday or any Sunday.

Name of Claimant

LONDON BOROUGH OF LAMBETH

Claimant's address

LAMBETH LEGAL SERVICES
HOUSING TEAM
PO BOX 733
WINCHESTER
SO23 5DH

Claimant's telephone number

02079262505/07958493209

Council Tax Support award from 11 Jul 2022

Income you told us about:
(All figures are per week unless otherwise stated)

Universal Credit Award	£281.95
PIP Daily Living Component (Standard Rate)	£61.85
Less disregarded income	- £61.85

Our records show that the following elements make up your award of Universal Credit (please note that these are monthly figures):

Assessment Period from 11 Apr 2022 to 10 May 2022

	DWP
Standard Allowance	£334.91
Housing Costs Element	£532.61
LCW Element	£354.28
Your Maximum Universal Credit award is	£1221.80
Your actual Universal Credit award is	£1221.80

If you do not agree with the calculation of your Universal Credit you should contact the Department for Work and Pensions. If you disagree with the Local Disregard amount, if this is applicable, please contact us.

Your Total Income Used in the Calculation	£281.95

How much you need to live on (Applicable Amount):

Total Applicable Amount	£281.95

Your Applicable Amount is made up of the elements used in your Universal Credit (converted to a weekly figure), listed above.

Income used in the calculation	£281.95
Less how much you need to live on	£281.95
Excess Income	£0.00

Your property is Band B which has a weekly liability of £24.76.
How your Council Tax Support is worked out:

Eligible Council Tax	£24.76
Weekly Council Tax Support	£24.76

Lambeth

The original of this Notice was served by me

Signed: .....

Tenancy Enforcement Officer: Janet Coote

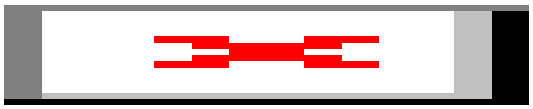
If you wish to discuss this Notice you should contact Janet Coote, Tenancy Enforcement Officer at London Borough of Lambeth, Fourth floor Civic Centre, 1-7 Town Hall Parade, London SW2 1RJ Date 13.7.22

Tel: 020 7926 2621

From: Sharnay Hamilton
Sent: 15 March 2022 16:20:25
To: Sharnay Hamilton
Subject: tenancy agreement - OILVER BERNARD -33 CARFAX
Attachments: LBL-RPS-VP-006_iR ADV 4751i-25B00708_0773_001.pdf, LBL-RPS-VP-006_iR ADV 4751i-25B00708_0774_001.pdf, Untitled, bank statement, Proof of Income

---

From: "Sharnay Hamilton" <SHamilton1@lambeth.gov.uk>
Sent: 15 March 2022 14:07
To: Sharnay Hamilton <SHamilton1@lambeth.gov.uk>
Subject: Attached Image



Benefit Notification Letter

Lambeth

0000/01/0000/0000000/4412612
11780001/002081/001/004

MR OLIVER BERNARD
33 CARFAX PL
LONDON
SW4 7BQ

CASE NO.805324647

Date:
13 July 2022

Account enquiries:
Call 0345 302 2312
Email benefitsinfo@lambeth.gov.uk
Website www.lambeth.gov.uk

Dear MR BERNARD,

Housing Benefit and/or Council Tax Support

I have terminated your Housing Benefit award from 28 March 2022. Full rent is now payable from this date.
You have been overpaid £1961.21 Housing Benefit. This overpayment is recoverable. The reason for the overpayment is the DWP have reported a change in your circumstances. The overpayment has been calculated as follows:

HOUSING BENEFIT

Period	Duration	Prev Award £	New Award £	Weekly Amount £	Total Amount £
28.03.22 04.04.22	1 week	117.56	0.00	117.56	117.56
04.04.22 18.07.22	15 weeks	122.91	0.00	122.91	1843.65

This was notified on 13 July 2022 by LA Activity (Other), and determined on 13 July 2022. This overpayment has been added to your rent account.
It is very important that you check the details in this letter and let us know if any are incorrect, if you want the decision explained or looked at again.

r02/000011

If you think this decision is wrong you can appeal. Your appeal must be in writing, within one calendar month of the date of this letter, giving your reasons. Your appeal will then be heard by an independent tribunal.

You must tell the Benefit Section at Lambeth Council immediately, in writing, of any changes that may affect your entitlement. Some examples of changes that we will need to know about include: increases in your or your partner's income/savings, if someone leaves or joins your household, and any changes in the amount of rent you pay. You may lose entitlement if you do not tell us within one calendar month of any changes. If you are overpaid because you did not tell us about any changes straightaway you will be sent an invoice which you will have to pay.

P.S Did you know that you can now register online for a MyLambeth account to view your Benefit Statement, entitlement calculations and past payments? Visit www.lambeth.gov.uk/mylambeth for more information

London Borough of Lambeth
PO BOX 734
Winchester
SO23 5DG

0000/01/0000/00000000/4412612
11780001/0020081/002/004

Yours sincerely,

Gus Neizer
pp Lambeth Benefits Manager

r02/000011

Benefit Notification Letter

Lambeth

0000/01/0000/0000000/4412612
1178000/1/002081/003/004

MR OLIVER BERNARD
33 CARFAX PL
LONDON
SW4 7BQ

CASE NO.805324647

Date:
13 July 2022

Account enquiries:
Call 0345 302 2312
Email benefitsinfo@lambeth.gov.uk
Website www.lambeth.gov.uk

Dear MR BERNARD,

Housing Benefit and/or Council Tax Support

Council Tax Support has been awarded.

Your Weekly Council Tax Reductions:

11 Jul 2022	£24.76

It is very important that you check the details in this letter and let us know if any are incorrect, if you want the decision explained or looked at again.

r02/000011

If you think this decision is wrong you should write to us stating why you think it is wrong. We will look at your award again and write to you with our decision. If we do not respond to you within two months, or if you are still not happy with our decision, you may appeal to the Valuation Tribunal.

You must tell the Benefit Section at Lambeth Council, in writing, within 21 days of any changes that may affect your entitlement. Some examples of changes that we will need to know about include: increases in your or your partner's income/savings or if someone leaves or joins your household. You may also lose entitlement if you do not tell us within 21 days of any changes. If you receive more Council Tax Support because you did not tell us about any changes straightaway you will be sent a revised bill for Council Tax.

P.S Did you know that you can now register online for a MyLambeth account to view your Benefit Statement, entitlement calculations and past payments? Visit www.lambeth.gov.uk/mylambeth for more information

Yours sincerely,

Gus Neizer
pp Lambeth Benefits Manager

London Borough of Lambeth
PO BOX 734
Winchester
SO23 5DG

Council Tax Support award from 11 Jul 2022

Income you told us about:
(All figures are per week unless otherwise stated)

Universal Credit Award	£281.95
PIP Daily Living Component (Standard Rate)	£61.85
Less disregarded income	- £61.85

Our records show that the following elements make up your award of Universal Credit (please note that these are monthly figures):

Assessment Period from 11 Apr 2022 to 10 May 2022

	DWP
Standard Allowance	£334.91
Housing Costs Element	£532.61
LCW Element	£354.28
Your Maximum Universal Credit award is	£1221.80
Your actual Universal Credit award is	£1221.80

If you do not agree with the calculation of your Universal Credit you should contact the Department for Work and Pensions. If you disagree with the Local Disregard amount, if this is applicable, please contact us.

Your Total Income Used in the Calculation	£281.95

How much you need to live on (Applicable Amount):

Total Applicable Amount	£281.95

Your Applicable Amount is made up of the elements used in your Universal Credit (converted to a weekly figure), listed above.

Income used in the calculation	£281.95
Less how much you need to live on	£281.95
Excess Income	£0.00

Your property is Band B which has a weekly liability of £24.76.
How your Council Tax Support is worked out:

Eligible Council Tax	£24.76
Weekly Council Tax Support	£24.76

Council Tax Support award from 11 Jul 2022

Income you told us about:
(All figures are per week unless otherwise stated)

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How your Council Tax Support is worked out:

Eligible Council Tax	£24.76
Weekly Council Tax Support	£24.76

Contact Reports

Contact Reference	Received	Method	Source Name	Major Reason	Status	Status Start	Appointments

Contact Reference	Received	Method	Source Name	Major Reason	
450231	28-APR-2022	EMAIL	**UNKNOWN**		LC

Addressed to Job Role		**Username**		**Duration**	00:00
Source Address	**UNKNOWN**	**Num Reasons**	2	**Classification**	
Subject	Tcy Ref: 204599 MR O BERNARD	**Subject Address**	33 Carfax Place, London, SW4 7BQ		
Answered		**Outcome**			
Summary Text	Notifying person - Carfax Place Sheltered Scheme -North area Respondent - 33 Carfax Place, London, SW4 7BQ Complaint: I took a very distressing call this morning and had to rush down to Carfax Place to see the Scheme Manager Jummy who had been physically assaulted by a resident. The resident, tenant of 33 Carfax Place, Oliver Bernard is a 56 years old and only moved to the scheme on 21 March 2022. Thank goodness the scheme manager who was knocked flat of her back is ok, and there was a male Cleaner Assistant present who was able to pull the resident away. I understand he is known to the mental Health team. The Police was called, but the resident was not arrested because the manager confirmed to the Police that she did to want to press charges. I will give further update tomorrow when I receive the report from the manager and the CA.				
Action Ref	409586	**Action Status**		**Action Status Date**	
Action Admin Unit		**Action Assigned To**		**Action Target Date**	

450231	28-APR-2022	EMAIL	**UNKNOWN**

Addressed to Job Role		**Username**		**Duration**	00:00
Source Address	**UNKNOWN**	**Num Reasons**	2	**Classification**	ASB_NEWCON
Subject	Admin Unit: STR002461	**Subject Address**	Carfax Place (30-39), Carfax Place, London, SW4 7BQ		
Answered		**Outcome**			
Summary Text	Notifying person - Carfax Place Sheltered Scheme -North area Respondent - 33 Carfax Place, London, SW4 7BQ Complaint: I took a very distressing call this morning and had to rush down to Carfax Place to see the Scheme Manager Jummy who had been physically assaulted by a resident. The resident, tenant of 33 Carfax Place, Oliver Bernard is a 56 years old and only moved to the scheme on 21 March 2022. Thank goodness the scheme manager who was knocked flat of her back is ok, and there was a male Cleaner Assistant present who was able to pull the resident away. I understand he is known to the mental Health team. The Police was called, but the resident was not arrested because the manager confirmed to the Police that she did to want to press charges. I will give further update tomorrow when I receive the report from the manager and the CA.					
Action Ref	409583	**Action Status**	CUR	**Action Status Date**	28-APR-2022
Action Admin Unit	ZHMANTE	**Action Assigned To**	JCOOTE	**Action Target Date**	

Off

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20:04 24 July 2022

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Options

NHS

Declaration by Applicant

I declare that the information given by me is correct to the best of my knowledge and that I am entitled to apply for access to the health record referred to under the terms of the Data Protection Act 2018.

Please tick one of the following:

[ ] I am the patient.

[ ] I have been asked to act by the patient and attach the patient's written authorisation.(The patient has signed the patient authorisation section below and has provided a copy of photographic ID as proof)

[ ] I have been appointed by the court to manage the affairs of the patient and attach confirmation of my appointment.(i.e. Lasting Power of Attorney)

[ ] I have parental responsibility for the individual and attach a copy of the child's full birth certificate.

[x] I have appointed the following Solicitor/Agent/Insurance Company to act upon my

Behalf ____TV Edwards LLP_____.

[x] I understand that by filling in and signing this form gives PCSE permission to disclose copies of my medical records. Please provide the Solicitor/Agent/Insurance Company copies of the medical record in line with the Data Protection Act 2018 within one month.

(We are unable to accept typed names as signatures, please sign by hand or e-signature)

Your Signature: .....

Print Your Name: .....Oliver Bernard.....

Date: .....

Any information you have supplied in making this request will be treated in confidence. It will only be used for the purpose of carrying out your request in accordance with the Data Protection Act 2018. After your request is completed your information will be retained for a statutory time period (currently 6 years), after which date it will be securely destroyed.

Patient Authorisation* (for use when appointing another individual to act and receive the records on your behalf)

I hereby authorise NHS England to release any health records that they may hold relating to me to TV Edwards LLP, to whom I have given consent to act on my behalf.

(We are unable to accept typed names as signatures, please sign by hand or e-signature)

Signature of Patient: ..... Date:

*(If you are using an authorised representative to make your application, you
they may gain access to all health records about you. If this is a concern, it is

00:01:45

Desktop
ENG
20:15
Monday
25/07/2022

Disclaimer Letter

Mr Oliver Bernard

Flat 33 Carfax Place
Clapham London
SW4 7BQ

12 April 2022

Dear Mr O. Bernard

Subject: Scheme Check Calls by Scheme Manager and Careline24

You have indicated that you do not want me to contact you each day to check you are well or in need of assistance.

I explained to you that the daily call is an important aspect of living in a sheltered housing scheme but you can, of course, choose whether you want me to call you.

Thank you for giving me a spare set of keys so that we can access your flat if there is an emergency. You have agreed that if there is an apparent emergency in your flat we can use the spare keys to give access.

I need written confirmation of your choice not to be called and your agreement we can enter your flat in an emergency so I would be grateful if you could sign below.

If you change your mind please let me know and I will call you each day.

Yours sincerely

Jummy Rufai
Sheltered Scheme Manager

Dear Scheme Manager

I confirm I do not want you to call me each day. I have, however, given you a spare key to my flat so that you can gain access in an emergency.

Name (in block capitals) MR OLIVER BERNARD

Signed .....

Address 33 CARFAX PLACE SW4 7BQ

Date 12/4/2022

Next review date: October 2022

Benefit Notification Letter

Lambeth

0000/01/0000/0000000/4412612
11780001/002081/001/004

MR OLIVER BERNARD
33 CARFAX PL
LONDON
SW4 7BQ

CASE NO.805324647

Date:
13 July 2022

Account enquiries:
Call 0345 302 2312
Email benefitsinfo@lambeth.gov.uk
Website www.lambeth.gov.uk

Dear MR BERNARD,

Housing Benefit and/or Council Tax Support

I have terminated your Housing Benefit award from 28 March 2022. Full rent is now payable from this date.
You have been overpaid £1961.21 Housing Benefit. This overpayment is recoverable. The reason for the overpayment is the DWP have reported a change in your circumstances. The overpayment has been calculated as follows:

HOUSING BENEFIT

Period	Duration	Prev Award £	New Award £	Weekly Amount £	Total Amount £
28.03.22 04.04.22	1 week	117.56	0.00	117.56	117.56
04.04.22 18.07.22	15 weeks	122.91	0.00	122.91	1843.65

This was notified on 13 July 2022 by LA Activity (Other), and determined on 13 July 2022. This overpayment has been added to your rent account.
It is very important that you check the details in this letter and let us know if any are incorrect, if you want the decision explained or looked at again.

r02/000011

If you think this decision is wrong you can appeal. Your appeal must be in writing, within one calendar month of the date of this letter, giving your reasons. Your appeal will then be heard by an independent tribunal.

You must tell the Benefit Section at Lambeth Council immediately, in writing, of any changes that may affect your entitlement. Some examples of changes that we will need to know about include: increases in your or your partner's income/savings, if someone leaves or joins your household, and any changes in the amount of rent you pay. You may lose entitlement if you do not tell us within one calendar month of any changes. If you are overpaid because you did not tell us about any changes straightaway you will be sent an invoice which you will have to pay.

P.S Did you know that you can now register online for a MyLambeth account to view your Benefit Statement, entitlement calculations and past payments? Visit www.lambeth.gov.uk/mylambeth for more information

London Borough of Lambeth
PO BOX 734
Winchester
SO23 5DG

Benefit Notification Letter

Lambeth

0000/01/0000/0000000/4412612
1178000/1/002081/003/004

MR OLIVER BERNARD
33 CARFAX PL
LONDON
SW4 7BQ

CASE NO.805324647

Date:
13 July 2022

Account enquiries:
Call 0345 302 2312
Email benefitsinfo@lambeth.gov.uk
Website www.lambeth.gov.uk

Dear MR BERNARD,

Housing Benefit and/or Council Tax Support

Council Tax Support has been awarded.

Your Weekly Council Tax Reductions:

11 Jul 2022	£24.76

It is very important that you check the details in this letter and let us know if any are incorrect, if you want the decision explained or looked at again.

r02/000011

If you think this decision is wrong you should write to us stating why you think it is wrong. We will look at your award again and write to you with our decision. If we do not respond to you within two months, or if you are still not happy with our decision, you may appeal to the Valuation Tribunal.

You must tell the Benefit Section at Lambeth Council, in writing, within 21 days of any changes that may affect your entitlement. Some examples of changes that we will need to know about include: increases in your or your partner's income/savings or if someone leaves or joins your household. You may also lose entitlement if you do not tell us within 21 days of any changes. If you receive more Council Tax Support because you did not tell us about any changes straightaway you will be sent a revised bill for Council Tax.

P.S Did you know that you can now register online for a MyLambeth account to view your Benefit Statement, entitlement calculations and past payments? Visit www.lambeth.gov.uk/mylambeth for more information

Yours sincerely,

Gus Neizer
pp Lambeth Benefits Manager

London Borough of Lambeth
PO BOX 734
Winchester
SO23 5DG

Lambeth

Date: 15 July 2022

Our ref: 409586
Your ref:

DO NOT IGNORE
Mr Oliver Bernard
33 Carfax Place
London
SW4 7BQ

Dear Mr Bernard,

RE: NOTICE OF SEEKING POSSESSION – 33 Carfax Place, London, SW4 7BQ

The enclosed Notice of Seeking Possession is served to formally terminate the tenancy and to seek Possession of the property because of breaching your tenancy agreement of 33 Carfax Place, London, SW4 7BQ.

This is the first step towards requiring you to give up possession of 33 Carfax Place, London, SW4 7BQ.

I give you notice that you are required to give up possession of 33 Carfax Place, London, SW4 7BQ before the said notice expires on **Monday 15th August 2022**.

The Council now intends to seek possession of 33 Carfax Place, London, SW4 7BQ by arranging a court hearing at the County Court. You will be liable for any court costs awarded, which could be in excess of £325.

Any belongings left will be stored for a period of 7 days (maximum) and then disposed of with no liability to the Council.

If you wish to discuss this matter, please do not hesitate to contact me.

You are advised to seek independent legal advice on this matter.

Yours sincerely,

Janet Coote
Tenancy Enforcement Officer

Lambeth Housing Management
Tenancy Enforcement Team
London Borough Of Lambeth
Fourth floor Civic Centre
1-7 Town Hall Parade
London SW2 1RJ

Telephone: 020 7926 6000
housingmanagement.lambeth.gov.uk

Lambeth

This Notice is the first step towards requiring you to give up possession of your dwelling. You should read it very carefully.

HOUSING ACT 1985
Section 83
Notice of Seeking Possession

WITHOUT PREJUDICE

(1) Name(s) of Secure Tenant(s)

1. **To (1) Mr Oliver Bernard**

If you need advice about this Notice, and what you should do about it, take it as quickly as possible to a Citizen's Advice Bureau, a Housing Aid Centre, or a Law Centre, or to a Solicitor. You may be able to receive Legal Aid, but this will depend on your personal circumstances.

(2) *Insert Name*

2. The Landlord **(2)** The **Mayor and Burgesses of the London Borough of Lambeth** intends to apply to the Court for an order requiring you to give up possession of:

(3) Address of Property

(3) **33 Carfax Place, London, SW4 7BQ**

If you are a secure tenant under the Housing Act 1985, you can only be required to leave your dwelling if your landlord obtains an order for possession from the Court. The order must be based on one of the Grounds which are set out in the 1985 Act (see paragraphs 3 and 4 below).

If you are willing to give up possession without a Court Order, you should notify the person who signed this Notice as soon as possible and say when you would leave.

(4) Give the text in full of each Ground which is being relied on.

3. **Possession will be sought on Ground(s) 1 and 2 of Schedule 2 to the Housing Act 1985 (4), which reads:**

Ground 1

Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has been broken or not performed.

Ground 2

The tenant or person residing in or visiting the dwelling-house

Lambeth

(a) Has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality,
(aa) Has been guilty of causing or likely to cause a nuisance or annoyance to the landlord of the dwelling-house, or a person employed (whether or not by the landlord), in connection with the exercise of the landlord's housing management functions, and that it is directly or indirectly related to or affects those functions, or
(b) Has been convicted of –
i. Using the dwelling-house or allowing it to be used for immoral or illegal purposes, or
ii. An indictable offence committed in, or in the locality of, the dwelling.

Whatever grounds are set out in paragraph 3 of this Notice, the court may allow any other Grounds to be added at a later stage. If this is done, you will be told about it so you can argue at the hearing in court about the new ground, as well as the grounds set out in paragraph 3 if you want to.

(5) Give a full explanation of why each Ground is being relied upon.

4. **Particulars of each ground are as follows (5)**

Your tenancy is subject to the Council's standard terms and conditions for introductory and secure tenancies (2012 edition), which include:

Ground 1.

Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has been broken or not performed.

You have breached Clause 22 of the terms and conditions of your tenancy.

Ground 2:

*Under '**YOUR USE OF THE PROPERTY**' it is stated:*

Your obligations as a Tenant apply to you and anyone else living in or visiting your Home. We will also hold you responsible for any breach of these tenancy conditions by any persons living with you or visiting your Home.

ILLEGAL AND ANTI- SOCIAL BEHAVIOUR

In this section:

(1) The term 'Property' includes the Communal Areas.

(2) The 'Locality' is the general area in which the Property sits.

Lambeth

(3) Where these tenancy conditions require you not to do anything, you must also not permit any of your Household or any visitor to do so.

(4) If any joint tenant, or member of your Household or any visitor does any act which is forbidden by these tenancy conditions you (or in the case of joint tenants, all of you) will be held responsible for that act as if you had yourself done that act:

21 Your duty not to let the Property be used for illegal activities

21.1 You must not use your Property, or permit it to be used, for an illegal purpose or activity.

21.2 You must not carry out any illegal activity in the Locality.

22 Your duty not to cause nuisance or harass others

22.3 You must not do anything which is, or which is intended to, or which is likely to be a nuisance or danger to other people, or which causes damage to our property or the property of our tenants and lessees, their families, lodgers or visitors. For example, you must not: For example, you must not:

(i) play any music or use a radio, television or other equipment in a way which is intended or is likely to annoy any other person;

(ii) allow your dog, or a dog brought into your Property by someone living with you or visiting your Property, to bark in a way which is likely to annoy any other person or to foul the Communal Areas or the Locality;

(iii) put up any sign, notice or advert (except a temporary notice of reasonable size about elections or community events) without our written permission;

(iv) block any Communal Area, either by standing or sitting there or by leaving gas cylinders and other hazardous items, rubbish, prams, bicycles or other objects there;

(v) damage any part of the Property or the Communal Areas;

(vi) throw rubbish or anything from a window or balcony, or anywhere in the estate or Locality;

(vii) feed pigeons or other pests;

(viii) unreasonably rev engines or use noisy machinery or tools;

(ix) damage, deface or write graffiti in the Communal Areas or Locality;

(x) remove wheel clamps fitted by us or our contractors;

(xi) interfere with security and safety equipment;

(xii) tamper with gas or electric supplies or with the meters;

Lambeth

(xiii) *park illegally or contrary to any directions or notice issued by us, or in any way that may hinder the collection of refuse or emergency vehicles or without reasonable consideration for other road-users;*

(xiv) *undertake any activity which produces poisonous fumes;*

(xv) *leave oil or car parts on estates, or in garages or parking areas;*

(xvi) *leave hypodermic needles or syringes in the Locality or dispose of them anywhere except in a designated "sharps" bin.*

22.4 *You must not be violent, abusive or threatening towards any other person in the Property or the Locality or allow members of your household or invited visitors to do so.*

22.5 *You must not be violent, abusive or threatening towards any officers, representatives or contractors or allow members of your household or invited visitors to do this.*

22.6 *You must not be violent, abusive or threatening towards or discriminate against anyone who also has a right to be in the Property or Locality, because of their race, sex, sexuality, age, religious belief or disability. And you must not allow members of your household or invited visitors to do this.*

In breach of the above, you Mr Oliver Bernard of **33 Carfax Place, London, SW4 7BQ,** was seen on the 27th of April 2022, shouting, using abusive racist words and obscene language to the Scheme manager. You then violently attacked the Scheme Manager at Carfax Place causing bruising and alarm and distress.

On Friday 13th May 2022, you came to the office holding a long iron bar intimidating a Lambeth staff member.

On 21st May 2022, we received numerous complaints you were observed parading only wearing shorts/knickers yelling, shouting frightening visitors' children and other residents in the scheme.

On the same day, you were again observed seen half naked standing in the middle of the road controlling the traffic returned to the scheme and started throwing rubbish items on the communal area through your window.

On 21st May 2022, complaints were received that you hide in the Residents Communal Hall / laundry area with the lights off, and you suddenly emerge frightening a resident by your action.

Before the Court will grant an order on any of the Grounds 1 to 8 or 12 to 16, it must be satisfied that it is reasonable to require you to leave. This means that, if one of these Grounds is set out in paragraph 3 of this Notice, you will be able to argue at the hearing in Court that it is not reasonable that you should have to leave, even if you accept that the Ground applies.

Before the Court grants an order on any of the Grounds 9 to 16, it must be satisfied that there will be suitable alternative accommodation for you when you have to leave. This means that the Court will have to decide that, in its opinion, there will be

Lambeth

other accommodation which is reasonably suitable for the needs of you and your family, taking into particular account various factors such as the nearness of your place of work, and the sort of housing that other people with similar needs are offered. Your new home will have to be let to you on another secure tenancy or a private tenancy under the Rent Act of a kind that will give you similar security. **There is no requirement for suitable alternative accommodation where Grounds 1 to 8 apply.**

If your landlord is not a local authority, and the local authority gives a certificate that it will provide you with suitable accommodation, the Court has to accept the certificate.

One of the requirements of Ground 10A is that the landlord must have approval for the redevelopment scheme from the Secretary of State (or, in the case of a housing association landlord, the Housing Corporation). The landlord must have consulted all secure tenants affected by the proposed redevelopment scheme.

(6) Cross out this paragraph if possession is being sought on Ground 2 of Schedule 2 to the Housing Act 1985 (whether or not possession is also sought on another Ground)

~~5. **The Court proceedings for possession will not be begun until after** (6) (7)~~

- ~~*Court proceedings cannot be begun until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end. This means that if you have a weekly or fortnightly tenancy, there should be at least 4 weeks between the date this Notice is given and the date in this paragraph.*~~

(7) Give the date after which Court proceedings can be brought.

- ~~*(7) After this date, Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up, this Notice will lapse and a new Notice must be served before possession can be sought.*~~

(8) Cross out this paragraph if possession is not being sought on Ground 2 of Schedule 2 to the Housing Act 1985.

6. **Court proceedings for possession of the dwelling-house can be begun immediately. The date by which the tenant is to give up possession of the dwelling-house is** (8)

15th August 2022

.....

[give the date by which the tenant is to give up possession of the dwelling-house]

Lambeth

(9) Give the date by which the tenant is to give up possession of the dwelling house.	• *Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up this Notice will lapse and a new notice must be served before possession can be sought.* • *Possession of your dwelling-house cannot be obtained until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end. This means that if you have a weekly or fortnightly tenancy, there should be at least 4 weeks between the date this Notice is given and the date possession is ordered*

Signed: … **……**

Ebenezer Appoh

Senior Tenancy Enforcement Officer

On Behalf of **the Mayor and Burgesses of the London Borough of Lambeth**

Address: **London Borough of Lambeth, Town Hall, Brixton Hill, London, SW2 1RP** Tel: No. 02079266000.

Date: 13.7.2022

CROYDON COUNCIL
www.croydon.gov.uk

South London and Maudsley NHS
NHS Foundation Trust

Croydon & BDP Directorate

Jeanette Wallace House
1 Edridge Road
Croydon
CR0 1FE
(Switchboard)Tel: 0203 228 0300
(Direct) 0203 228 0365
Email: CroydonNorthAssessmentandLiaisonTeam@slam.nhs.uk

Private & Confidential
The Corner Surgery
99 Coldharbour Lane
East Brixton
London
SE5 9NS

Date: 8th January 2021

Dear colleague,

Re: Mr Oliver Bernard DoB 12/10/1965 NHS No. 432 687 9297
27 The Drive, THORNTON HEATH, Surrey, CR7 8LB

Axis I – Paranoid Schizophrenia (currently well). Historical Mental and behavioural disorders due to the use of multiple substances and alcohol (cocaine, cannabis) – current abstinence.

I met with Mr Bernard with Gifty Nuhu, our team leader, at his home on the 7th January, as well as having a phone call beforehand. At the time of assessing him we were unaware that he is currently open to a CMHT from South West London and St George's Trust – though he himself had told me he is under Wandsworth 'Your Way' service, which is another service in the borough. Therefore, the initial plans we discussed with Mr Bernard having follow up with our team may change.

Impression

-No evidence significant active mental illness (reports some voices at times).
-Good evidence that neighbours are causing ++ noise. Today we heard persistent banging that would cause distress to someone living below and also the flat appears quite prone to shaking when doors slam upstairs etc. In the 15 minutes were in his home, we heard at least 60 seconds of persistent loud hammering from upstairs.

GP ACTIONS REQUIRED

-Please can you send us an up to date summary of his health if you have not already done so.
-Please continue prescribing medications unchanged.

Care Plan

After discussion, today we have agreed the following key points for the ongoing care plan:

- Monique Wisdom (allocated social work practitioner) will liaise with swlstg trust to establish further secondary mental health follow up plans.
- We would be grateful if Mr Bernard would complete the online feedback form that is listed on their appointment letter https://slam.smartsurvey.co.uk/r/18/222/

Relapse signs

2007 – auditory hallucinations, tactile hallucinations (but these were in context of bereavement at the time as well)
Negative symptoms noted on discharge summary HTT in 2007 – characterised by poor ADLs
Thoughts others know his thoughts / take them out / control them
Thoughts others can move his body
Messages from TV and radio
Running commentary

History of Presenting complaint / This episode of care

Concerns raised by London Fire Service – risky behaviour in accommodation. Confused, using hotplate to heat property. Had previously done same with oven which was switched off (by Fire Services?)
Concerns also raised via housing services Ref: Fire Service + Who Activated Slam

Release from prison was March 2020

T/c with Monique –He feels neighbours know he has MH problems and are harassing him
Agreed to attend appt, but said he might not be able to attend due to having no money for transport.

We found out subsequent to the appointment with me that he is open to a Wandsworth CMHT. Recent concerns had come to the attention of their services, but the recent concerns are the same concerns that were raised with our service (i.e. from the fire service, housing services etc). Ref: What concerns?

Interview

The first half of the consultation was by the phone.
Mr Bernard was quite open throughout – I suspect that he feels with his history he has to be extra-open.
He denied his relapse signs, but said he does hear voices occasionally that come and then go and are not a current problem.

We discussed each of the current alerts that have been raised by housing and the fire service. He denies being responsible for any gas leak, and feels the flat is in unacceptable condition including a broken door that allows anyone in the building to enter the main part of his flat where his kitchen is.
He has installed internal cameras in his flat, but was coherent about this and how he has always liked technology.
He reports that if the fire service did attend his flat he would have just woken up and 'been out of it'. Ref: What does this mean?
He denied any suicidal behaviour.

I gather you prescribe the following medications:

Amisulpride tablets 200mg mane & 400mg nocte BD
Risperidone tablets 2mg BD
Mirtazapine tablets 30mg nocte
Procyclidine tablets 5mg TDS

As well as inhalers, Metformin, Clonazepam (2mg od) and other medications Mr Bernard did not know the details of, but he reports using as prescribed.

Personal history

From 2007:

Mr Bernard was born by C-section, but he does not know if it was on emergency basis or not. He said that he had to be kept postnatally in hospital due to the low white cell count. He reached normal developmental milestones. There is a history of epilepsy since the age of three. He does not know if he received any medication and said that he just grew out of it. His childhood wasn't a happy one; he described a crowded home with little money and not enough attention from mother - "there were so many of us".

He did not like school very much and was expelled at the age of fifteen due to antisocial behaviour. Mr Bernard did not resume his education ever again, has no qualifications, nor did he ever work.

He is heterosexual, had first sexual relationship age 15. His longest relationship lasted for five years (age 18 - 23). He has not been in a relationship since year 2000, has never been married and does not have children. Ref: where this information came from?

Personality:

As a teenager, angry with violent outbursts and dis social behaviour. Seemed to have settled when older. Usually friendly, outgoing. Has a lot of friends. Does not believe that his personality is affected in any way by psychotic illness. Has been sentenced about five times since, mainly for shoplifting.

Drug and alcohol history

Historical alcohol, cannabis and crack use
Denies use of any of the above now.

Past medical history / Systems review

COPD (or other interstitial lung disease)
T2DM

Mental State Examination

Reports hearing voices occasionally, but these come and go and do not cause distress. I somewhat wonder if they are non-psychotic in nature. Otherwise no relapse signs or evidence of psychotic or affective illness.

Forensic hx

He agreed to be seen at our team base.
He reports he is not on probation, and has a court case upcoming as he was unaware of the requirements for someone on the sexual offending register.
He says he was seen in prison by mental health services.
He sleeps well usually and his appetite is normal. There was no evidence of affective disorder.

Past Psychiatric History

Most recent contact SLaM MH services – seen Psych Liaison March 2020 – having social problems and no housing
Stable mental state and required input from KHP to find accommodation
Plan for referral to forensic CMHT – declined as no re-offending for 17 years

No other information about pt – between 2007 and 2020 on SLaM records except information provided to HMP Littlethey
Provided in 2012

2007 last discharge from SLaM – Risperidone 2mg od and Amisulpride 300mg bd – medications had improved a recent deterioration in mental state.

From 2007 summary:

He was referred to North Lambeth CMHT in 2003 with a number of first rank symptoms and despite being on maximum doses of both Olanzapine and Risperidone for a considerable period of time, his mental state had only slightly improved. Therefore, he was referred to our team for commencement and titration of Clozapine in the community. Clozapine was commenced on 16/08/06, and he receives this concurrently with Risperidone which has been reduced to 4 mg.

(Patient's account)

He first saw a psychiatrist whilst in Wadsworth prison in 1994. At a time, he presented with anxiety symptoms and visual hallucinations. He was not prescribed any medication. It appears that his illness went untreated until 3 years ago when he got involved with North Lambeth CMHT. During that 8 year period, he experienced a host of positive symptoms and felt "I knew I was going madder and madder".

In 2003, he was commenced on Olanzapine, and did not show significant improvement even on a 20mg dose. This was later substituted with Risperidone. On 8mg Risperidone his symptoms subsided somewhat, but he continued to "live a life of hell" due to troubling hallucinations and a number of a distressing and bizarre beliefs.

He was referred to NLHTT on 15/08/06 for commencement and titration of Clozapine.

There are no previous admissions,

Whilst first time in prison he attempted suicide, but it was only for attention seeking.

Association of worsening psychotic symptoms with crack use, but they were not necessarily always related to crack use.

Medications

20 convictions
1983-2012

3 OFFENCES AGAINST THE PERSON	(1983-2004)
1 SEXUAL OFFENCES	(2012)
1 OFFENCES AGAINST PROPERTY	(1998)
6 THEFT AND KINDRED OFFENCES	(1980-2004)
6 PUBLIC DISORDER OFFENCES	(1983-2011)
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2 DRUG OFFENCES	(1983-2008)
15 MISCELLANEOUS OFFENCES	(1986-2001)

According to PNC – currently facing prosecution FAIL TO COMPLY WITH NOTIFICATION REQUIREMENTS SEXUAL OFFENCES ACT

Some further relevant details re: risk from PNC:

Spent time in youth custody – including for GBH
1988 - BURGLARY W/I TO COMMIT GRIEVOUS BODILY HARM
Driving under influence alcohol 1991
Previous assault on police – imprisoned 1 month
Drug offences have involved heroin and cannabis
Rape was on female under 16 years old.

Risk History

To self – previous report of suicidal behaviour in prison 'for attention' according to him in notes

From others / vulnerability / safeguarding – reported threat to his life from his brother (2007); has previously said he has been stabbed – no details

To others / Forensic – conviction for rape at knifepoint (from previous notes) – custodial sentence 8 years ending 2020 (offence in 1995?) and PNC notes female was under 16 years old; used to be destructive to his own property (e.g. smash TV) when thought they were source of voices; previous documents suggests previous conviction for GBH – 3 year custodial term served; also conviction for driving without license at 19 years old; he has previously said that he has previously stabbed people – no further details.

If you require any further information, or would like to discuss the case, please do not hesitate to be in touch.

Yours sincerely,

Dr Matthew Green
Locum Consultant Psychiatrist
Croydon North Assessment and Liaison Team

Cc
Bernard, Oliver (Mr)
27 The Drive, Thornton Heath, Surrey, CR7 8LB

Care Plan

After discussion, today we have agreed the following key points for the ongoing care plan:

- Monique Wisdom (allocated social work practitioner) will liaise with swlstg trust to establish further secondary mental health follow up plans.
- We would be grateful if Mr Bernard would complete the online feedback form that is listed on their appointment letter https://slam.smartsurvey.co.uk/r/18/2222/

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Ref: What concerns?

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Ref: What does this mean?

He denied any suicidal behaviour.

ASSESSMENT & LIAISON TEAM
Lead Consultant Psychiatrist: Dr Zbigniew Maleszak/Dr Matthew Green
Clinical Service Lead: Malini Daboo

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Dr Matthew Green
Locum Consultant Psychiatrist
Croydon North Assessment and Liaison Team

Cc
Bernard, Oliver (Mr)
27 The Drive, Thornton Heath, Surrey, CR7 8LB

ASSESSMENT & LIAISON TEAM
Lead Consultant Psychiatrist: Dr Zbigniew Malesza\Dr Matthew Green
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Some further relevant details re: risk from PNC:

Spent time in Youth custody – including for GBH
1988 - BURGLARY W\I TO COMMIT GRIEVOUS BODILY HARM
Driving under influence alcohol 1991
Previous assault on police – imprisoned 1 month
Drug offences have involved heroin and cannabis
Rape was on female under 16 years old.

Risk History

To self – previous report of suicidal behaviour in prison 'for attention' according to him in notes

From others \ vulnerability \ safeguarding – reported threat to his life from his brother (2007); has previously said he has been stabbed – no details

To others \ Forensic – conviction for rape at knifepoint (from previous notes) – custodial sentence 8 years ending 2020 (offence in 1995?) and PNC notes female was under 16 years old; used to be destructive to his own property (e.g. smash TV) when thought they were source of voices; previous documents suggests previous conviction for GBH – 3 year custodial term served; also conviction for driving without license at 19 years old; he has previously said that he has previously stabbed people – no further details.

If you require any further information, or would like to discuss the case, please do not hesitate to be in touch.

Yours sincerely,

Dr Matthew Green
Locum Consultant Psychiatrist
Croydon North Assessment and Liaison Team

Cc
Bernard, Oliver (Mr)
27 The Drive, Thornton Heath, Surrey, CR7 8LB

ASSESSMENT & LIAISON TEAM
Lead Consultant Psychiatrist: Dr Zbigniew Malesza\Dr Matthew Green
Clinical Service Lead: Malini Daboo

South London and Maudsley NHS
NHS Foundation Trust

Croydon & BDP Directorate

Jeanette Wallace House
1 Edridge Road
Croydon
CR0 1FE
(Switchboard)Tel: 0203 228 0300
(Direct) 0203 228 0365
Email: CroydonNorthAssessmentandLiaisonTeam@slam.nhs.uk

CROYDON COUNCIL
www.croydon.gov.uk

Private & Confidential
The Corner Surgery
99 Coldharbour Lane
East Brixton
London
SE5 9NS

Date: 8th January 2021

Dear colleague,

Re: Mr Oliver Bernard DoB 12/10/1965 NHS No. 432 687 9297
27 The Drive, THORNTON HEATH, Surrey, CR7 8LB

Axis I – Paranoid Schizophrenia (currently well). Historical Mental and behavioural disorders due to the use of multiple substances and alcohol (cocaine, cannabis) – current abstinence.

I met with Mr Bernard with Gitty Nuhu, our team leader, at his home on the 7th January, as well as having a phone call beforehand. At the time of assessing him we were unaware that he is currently open to a CMHT from South West London and St George's Trust – though he himself had told me he is under Wandsworth 'Your Way' service, which is another service in the borough. Therefore, the initial plans we discussed with Mr Bernard having follow up with our team may change.

Impression

-No evidence significant active mental illness (reports some voices at times).
-Good evidence that neighbours are causing ++ noise. Today we heard persistent banging that would cause distress to someone living below and also the flat appears quite prone to shaking when doors slam upstairs etc. In the 15 minutes were in his home, we heard at least 60 seconds of persistent loud hammering from upstairs.

GP ACTIONS REQUIRED

-Please can you send us an up to date summary of his health if you have not already done so.
-Please continue prescribing medications unchanged.

ASSESSMENT & LIAISON TEAM
Lead Consultant Psychiatrist: Dr Zbigniew Maleszak/Dr Matthew Green
Clinical Service Lead: Malini Daboo

0000/01/0000/00000000/4412612
11780001/0020081/002/004

Yours sincerely,

Gus Neizer
pp Lambeth Benefits Manager

r02/000011

Search | Lambeth Council | Forgotten password - check ema | Forgotten password for Lambeth | My Summary

https://validate-housing.lambeth.gov.uk/ords/houlive_selfserv/f?p=13000:200:13726653618995:::::

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Lambeth

Log out

Home | My accounts and statements | My repairs | My contact details | Password reset

Your account is in arrears. Please make a payment.

Childrens summer activities, find out more here: Summer of food and fun

Would you like to access a broader range of financial support? sign up for the Lightning Reach portal.
See what grants you may be eligible to apply for.

Planned system maintenance will be carried out between 6pm Friday and 8am Monday. Your account will not be available during this time.

My tenant account

My account details

Name: Mr Oliver Bernard
Address: 33 Carfax Place, London, SW4 7BQ
Payment reference: 720681010

My current balance

£6,283.84
in debit

My housing services

My accounts and statements

My repairs

My right to buy applications

My contact details

My documents

My enquiries

Update ... | (20) Ho... | my lam... | Tagged ... | Log in t... | https://i... | Amazo... | Error | Si... | Tagged ... | https://... | Amazo... | Samsun... | Order C... | Cookwa... | My Su...

Desktop

ENG

04:22
Thursday
21/07/2022

My accounts

Select an account from those shown below.
Please note you cannot create a direct debit with former accounts.

Account type	Payment reference	Account status	Current balance	Credit/debit	
Rent account	720681010	Current account	-£2,298.44	DR	Make a Payment Account details View statement Payment schedule Set up direct debit
Rent account	635647038	Former account	£0.00	DR	Make a Payment Account details View statement Payment schedule Set up direct debit
Temporary accommodation rent account	721630160	Former account	-£2,663.61	DR	Make a Payment Account details View statement Payment schedule Set up direct debit
Temporary accommodation rent account	721530961	Former account	£0.00	DR	Make a Payment Account details View statement Payment schedule Set up direct debit

Update ... | (20) Ho... | my lam... | Tagged ... | Log in t... | https://i... | Amazo... | Error | Si... | Tagged ... | https://... | Amazo... | Samsun... | Order C... | Cookwa... | My acc...

Desktop

ENG

04:24
Thursday
21/07/2022

Last updated on 10 May 2022

Home address
33
Carfax Place
London
SW4 7BQ

Housing situation
You rent from a council or housing association.

Tenancy agreement

- 1 bedroom(s)
- There's no one else on the agreement

Total household rent
£90.81 per week

Rent-free weeks per year
You have no rent-free weeks per year

Total household service charge
£32.10 per week

Your landlord
Lambeth Housing Services
Lambeth Housing Services 110 Union Road
London
SW8 2SH

Change

Back

CROYDON COUNCIL
www.croydon.gov.uk

South London and Maudsley NHS
NHS Foundation Trust

Croydon & BDP Directorate

Jeanette Wallace House
1 Edridge Road
Croydon
CR0 1FE
(Switchboard)Tel: 0203 228 0300
(Direct) 0203 228 0365
Email: CroydonNorthAssessmentandLiaisonTeam@slam.nhs.uk

Private & Confidential
The Corner Surgery
99 Coldharbour Lane
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SE5 9NS

Date: 8th January 2021

Dear colleague,

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27 The Drive, THORNTON HEATH, Surrey, CR7 8LB

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GP ACTIONS REQUIRED

-Please can you send us an up to date summary of his health if you have not already done so.
-Please continue prescribing medications unchanged.

Mr Oliver Bernard
33
Carfax Place
Clapham
London
SW4 7BQ
DOB: 12/10/1965

M Ogakwu
Thornton Heath Health Centre
61A Gillett Road
Thornton Heath
02086641590
NHS Croydon CCG

NHS Number: 4326879297

30mg orodispersible tablets - One To Be Taken At Night, 30 tablet

Procyclidine 5mg tablets - 5 mg tds, 84 tablet

Risperidone 2mg tablets - 2 mg bd, 60 tablet

Tiotropium bromide 2.5micrograms/dose inhalation solution cartridge CFC free - TWO puffs to be used ONCE daily, 1 x 60 dose

Co-codamol 30mg/500mg tablets - One Or Two To Be Taken Four Times A Day When Required, 100 tablet

☐ Co-codamol 30mg/500mg tablets (1/1)

PATIENTS – please read the notes overleaf

Mr Oliver Bernard
33
Carfax Place
Clapham
London
SW4 7BQ
DOB: 12/10/1965

M Ogakwu
Thornton Heath Health Centre
61A Gillett Road
Thornton Heath
02086641590
NHS Croydon CCG

NHS Number: 4326879297

---------- Patient Information ----------

Additional Information for Oliver Bernard
ELECTRONIC PRESCRIPTIONS - pick up your prescriptions directly from the pharmacy, ask your pharmacy to sign up

ONLINE APPOINTMENTS AND REPEAT PRESCRIPTION REQUESTS - ask reception to start the LOG IN process.

IF YOU ARE OVER 65 YEARS OF AGE AND WOULD LIKE TO HAVE A FLU INJECTION, PLEASE VISIT YOUR LOCAL PHARMACY. ANY PATIENT WHO IS UNDER 65 AND ELIGIBLE FOR AN INJECTION SHOULD PHONE THE SURGERY FOR AN APPOINTMENT WITH THE NURSE.

Next review date: 01 Aug 2022

---------- Medication Information ----------

Review Date : 01/08/2022
Amisulpride 200mg tablets - 200 MG AM, 400 MG PM , 90 tablet

Atorvastatin 10mg tablets - One To Be Taken Each Evening to lower cholesterol and protect the heart, total dose 50 mg nocte, 28 tablet

Clonazepam 500microgram tablets - One To Be Taken Twice A Day, 56 tablet

Hydroxychloroquine 200mg tablets - One To Be Taken Twice A Day, 60 tablet

Metformin 500mg tablets - 1 nocte (at 1600h), 28 tablet

Mirtazapine

PATIENTS – please read the notes overleaf

Lambeth

Date: 15 July 2022

Our ref: 409586
Your ref:

DO NOT IGNORE
Mr Oliver Bernard
33 Carfax Place
London
SW4 7BQ

Dear Mr Bernard,

RE: NOTICE OF SEEKING POSSESSION – 33 Carfax Place, London, SW4 7BQ

The enclosed Notice of Seeking Possession is served to formally terminate the tenancy and to seek Possession of the property because of breaching your tenancy agreement of 33 Carfax Place, London, SW4 7BQ.

This is the first step towards requiring you to give up possession of 33 Carfax Place, London, SW4 7BQ.

I give you notice that you are required to give up possession of 33 Carfax Place, London, SW4 7BQ before the said notice expires on **Monday 15th August 2022**.

The Council now intends to seek possession of 33 Carfax Place, London, SW4 7BQ by arranging a court hearing at the County Court. You will be liable for any court costs awarded, which could be in excess of £325.

Any belongings left will be stored for a period of 7 days (maximum) and then disposed of with no liability to the Council.

If you wish to discuss this matter, please do not hesitate to contact me.

You are advised to seek independent legal advice on this matter.

Yours sincerely,

Janet Coote
Tenancy Enforcement Officer

Lambeth Housing Management
Tenancy Enforcement Team
London Borough Of Lambeth
Fourth floor Civic Centre
1-7 Town Hall Parade
London SW2 1RJ

Telephone: 020 7926 6000
housingmanagement.lambeth.gov.uk

Lambeth

This Notice is the first step towards requiring you to give up possession of your dwelling. You should read it very carefully.

HOUSING ACT 1985
Section 83
Notice of Seeking Possession

WITHOUT PREJUDICE

(1) Name(s) of Secure Tenant(s)

1. **To (1) Mr Oliver Bernard**

If you need advice about this Notice, and what you should do about it, take it as quickly as possible to a Citizen's Advice Bureau, a Housing Aid Centre, or a Law Centre, or to a Solicitor. You may be able to receive Legal Aid, but this will depend on your personal circumstances.

(2) *Insert Name*

2. The Landlord **(2)** The **Mayor and Burgesses of the London Borough of Lambeth** intends to apply to the Court for an order requiring you to give up possession of:

(3) Address of Property

(3) **33 Carfax Place, London, SW4 7BQ**

If you are a secure tenant under the Housing Act 1985, you can only be required to leave your dwelling if your landlord obtains an order for possession from the Court. The order must be based on one of the Grounds which are set out in the 1985 Act (see paragraphs 3 and 4 below).

If you are willing to give up possession without a Court Order, you should notify the person who signed this Notice as soon as possible and say when you would leave.

(4) Give the text in full of each Ground which is being relied on.

3. **Possession will be sought on Ground(s) 1 and 2 of Schedule 2 to the Housing Act 1985 (4), which reads:**

Ground 1

Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has been broken or not performed.

Ground 2

The tenant or person residing in or visiting the dwelling-house

Lambeth

(a) Has been guilty of conduct causing or likely to cause a nuisance or annoyance to a person residing, visiting or otherwise engaging in a lawful activity in the locality,
(aa) Has been guilty of causing or likely to cause a nuisance or annoyance to the landlord of the dwelling-house, or a person employed (whether or not by the landlord), in connection with the exercise of the landlord's housing management functions, and that it is directly or indirectly related to or affects those functions, or
(b) Has been convicted of –
i. Using the dwelling-house or allowing it to be used for immoral or illegal purposes, or
ii. An indictable offence committed in, or in the locality of, the dwelling.

Whatever grounds are set out in paragraph 3 of this Notice, the court may allow any other Grounds to be added at a later stage. If this is done, you will be told about it so you can argue at the hearing in court about the new ground, as well as the grounds set out in paragraph 3 if you want to.

(5) Give a full explanation of why each Ground is being relied upon.

4. **Particulars of each ground are as follows (5)**

Your tenancy is subject to the Council's standard terms and conditions for introductory and secure tenancies (2012 edition), which include:

Ground 1.

Rent lawfully due from the tenant has not been paid or an obligation of the tenancy has been broken or not performed.

You have breached Clause 22 of the terms and conditions of your tenancy.

Ground 2:

*Under '**YOUR USE OF THE PROPERTY**' it is stated:*

Your obligations as a Tenant apply to you and anyone else living in or visiting your Home. We will also hold you responsible for any breach of these tenancy conditions by any persons living with you or visiting your Home.

ILLEGAL AND ANTI- SOCIAL BEHAVIOUR

In this section:

(1) The term 'Property' includes the Communal Areas.

(2) The 'Locality' is the general area in which the Property sits.

Lambeth

(3) Where these tenancy conditions require you not to do anything, you must also not permit any of your Household or any visitor to do so.

(4) If any joint tenant, or member of your Household or any visitor does any act which is forbidden by these tenancy conditions you (or in the case of joint tenants, all of you) will be held responsible for that act as if you had yourself done that act:

21 Your duty not to let the Property be used for illegal activities

21.1 You must not use your Property, or permit it to be used, for an illegal purpose or activity.

21.2 You must not carry out any illegal activity in the Locality.

22 Your duty not to cause nuisance or harass others

22.3 You must not do anything which is, or which is intended to, or which is likely to be a nuisance or danger to other people, or which causes damage to our property or the property of our tenants and lessees, their families, lodgers or visitors. For example, you must not: For example, you must not:

(i) play any music or use a radio, television or other equipment in a way which is intended or is likely to annoy any other person;

(ii) allow your dog, or a dog brought into your Property by someone living with you or visiting your Property, to bark in a way which is likely to annoy any other person or to foul the Communal Areas or the Locality;

(iii) put up any sign, notice or advert (except a temporary notice of reasonable size about elections or community events) without our written permission;

(iv) block any Communal Area, either by standing or sitting there or by leaving gas cylinders and other hazardous items, rubbish, prams, bicycles or other objects there;

(v) damage any part of the Property or the Communal Areas;

(vi) throw rubbish or anything from a window or balcony, or anywhere in the estate or Locality;

(vii) feed pigeons or other pests;

(viii) unreasonably rev engines or use noisy machinery or tools;

(ix) damage, deface or write graffiti in the Communal Areas or Locality;

(x) remove wheel clamps fitted by us or our contractors;

(xi) interfere with security and safety equipment;

(xii) tamper with gas or electric supplies or with the meters;

Lambeth

(xiii) *park illegally or contrary to any directions or notice issued by us, or in any way that may hinder the collection of refuse or emergency vehicles or without reasonable consideration for other road-users;*

(xiv) *undertake any activity which produces poisonous fumes;*

(xv) *leave oil or car parts on estates, or in garages or parking areas;*

(xvi) *leave hypodermic needles or syringes in the Locality or dispose of them anywhere except in a designated "sharps" bin.*

22.4 *You must not be violent, abusive or threatening towards any other person in the Property or the Locality or allow members of your household or invited visitors to do so.*

22.5 *You must not be violent, abusive or threatening towards any officers, representatives or contractors or allow members of your household or invited visitors to do this.*

22.6 *You must not be violent, abusive or threatening towards or discriminate against anyone who also has a right to be in the Property or Locality, because of their race, sex, sexuality, age, religious belief or disability. And you must not allow members of your household or invited visitors to do this.*

In breach of the above, you Mr Oliver Bernard of **33 Carfax Place, London, SW4 7BQ,** was seen on the 27th of April 2022, shouting, using abusive racist words and obscene language to the Scheme manager. You then violently attacked the Scheme Manager at Carfax Place causing bruising and alarm and distress.

On Friday 13th May 2022, you came to the office holding a long iron bar intimidating a Lambeth staff member.

On 21st May 2022, we received numerous complaints you were observed parading only wearing shorts/knickers yelling, shouting frightening visitors' children and other residents in the scheme.

On the same day, you were again observed seen half naked standing in the middle of the road controlling the traffic returned to the scheme and started throwing rubbish items on the communal area through your window.

On 21st May 2022, complaints were received that you hide in the Residents Communal Hall / laundry area with the lights off, and you suddenly emerge frightening a resident by your action.

Before the Court will grant an order on any of the Grounds 1 to 8 or 12 to 16, it must be satisfied that it is reasonable to require you to leave. This means that, if one of these Grounds is set out in paragraph 3 of this Notice, you will be able to argue at the hearing in Court that it is not reasonable that you should have to leave, even if you accept that the Ground applies.

Before the Court grants an order on any of the Grounds 9 to 16, it must be satisfied that there will be suitable alternative accommodation for you when you have to leave. This means that the Court will have to decide that, in its opinion, there will be

Lambeth

other accommodation which is reasonably suitable for the needs of you and your family, taking into particular account various factors such as the nearness of your place of work, and the sort of housing that other people with similar needs are offered. Your new home will have to be let to you on another secure tenancy or a private tenancy under the Rent Act of a kind that will give you similar security. **There is no requirement for suitable alternative accommodation where Grounds 1 to 8 apply.**

If your landlord is not a local authority, and the local authority gives a certificate that it will provide you with suitable accommodation, the Court has to accept the certificate.

One of the requirements of Ground 10A is that the landlord must have approval for the redevelopment scheme from the Secretary of State (or, in the case of a housing association landlord, the Housing Corporation). The landlord must have consulted all secure tenants affected by the proposed redevelopment scheme.

(6) Cross out this paragraph if possession is being sought on Ground 2 of Schedule 2 to the Housing Act 1985 (whether or not possession is also sought on another Ground)

~~5. **The Court proceedings for possession will not be begun until after** (6) (7)~~

- ~~*Court proceedings cannot be begun until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end. This means that if you have a weekly or fortnightly tenancy, there should be at least 4 weeks between the date this Notice is given and the date in this paragraph.*~~

(7) Give the date after which Court proceedings can be brought.

- ~~*(7) After this date, Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up, this Notice will lapse and a new Notice must be served before possession can be sought.*~~

(8) Cross out this paragraph if possession is not being sought on Ground 2 of Schedule 2 to the Housing Act 1985.

6. **Court proceedings for possession of the dwelling-house can be begun immediately. The date by which the tenant is to give up possession of the dwelling-house is** (8)

15th August 2022

.....

[give the date by which the tenant is to give up possession of the dwelling-house]

Lambeth

(9) Give the date by which the tenant is to give up possession of the dwelling house.	• *Court proceedings may be begun at once or at any time during the following twelve months. Once the twelve months are up this Notice will lapse and a new notice must be served before possession can be sought.* • *Possession of your dwelling-house cannot be obtained until after this date, which cannot be earlier than the date when your tenancy or licence could have been brought to an end. This means that if you have a weekly or fortnightly tenancy, there should be at least 4 weeks between the date this Notice is given and the date possession is ordered*

Signed: … **……**

Ebenezer Appoh

Senior Tenancy Enforcement Officer

On Behalf of **the Mayor and Burgesses of the London Borough of Lambeth**

Address: **London Borough of Lambeth, Town Hall, Brixton Hill, London, SW2 1RP** Tel: No. 02079266000.

Date: 13.7.2022

Lambeth

The original of this Notice was served by me

Signed: .....

Tenancy Enforcement Officer: Janet Coote

If you wish to discuss this Notice you should contact Janet Coote, Tenancy Enforcement Officer at London Borough of Lambeth, Fourth floor Civic Centre, 1-7 Town Hall Parade, London SW2 1RJ Date 13.7.22

Tel: 020 7926 2621

LBL Assessment Conversation

Lambeth Assessment/Review Conversation

Outcome areas of the Care Act 2014:
- Managing and maintaining nutrition
- Maintaining personal hygiene
- Managing toilet needs
- Being appropriately clothed
- Being able to make use of the adult's home safely
- Maintaining a habitable home environment
- Developing and maintaining family or other personal relationships
- Accessing and engaging in work, training, education or volunteering
- Making use of necessary facilities or services in the local community, including public transport, and recreational facilities or services
- Carrying out any caring responsibilities the adult has for a child

Please use the outcome areas to guide the conversation.

Name	Oliver George Bernard
ID	212281

Form type

◉ New user ○ Existing user

Assessment type

○ Telephone ◉ Face to face

Reablement?

○ Yes ◉ No

Capacity: Do you have any difficulty communicating or understanding - e.g. hearing, seeing, speaking, making sense of what you're being asked?

○ Yes ◉ No

☐ Assessment process needs to be paused

Date assessment paused 10/06/2022

Tell Me about yourself

What's going on at the moment for you?

Mr Bernard was referred for a care act assessment but the Lambeth Tenancy Enforcement team who have sought an injunction against him following reports of antisocial behaviour in his sheltered housing scheme. There are a number of anti social behaviour reports made by housing.

His case is now in court which has been adjourned until an assessment from social services and mental health services is completed.

It has not been possible to complete a joint assessment with mental health colleagues as Mr Bernard did not attend out scheduled appointment as he did not have the address to our office reporting the text sent did not arrive in time on 13/06/22.

Mental Health colleagues will attempt to review Mr Bernard week commencing 20/6/22. However I note that upon my assessment there were no psychotic symptoms noted and Mr Bernard reported his mental health was fine and denied any issues. He reported he is compliant with his medication which includes antipsychotic medication. He was agreeable to meet with the mental health team and has been informed he has been allocated a care co-ordinator Patricia Ogunsanu.

I met with Mr Bernard at his home address on 16/06/22 with my colleague Elsie Williams (Social Worker) as arranged with Mr Bernard. Mr Bernard engaged fully in this assessment and was pleasant, coherent and fully able to partake in this assessment and was clear of the reason for the referral and our visit.

This assessment has therefore been completed based on this home visit and from reviewing his NHS clinical records on the South London and Maudsley (SLaM) electric patient journal system (epjs)

Background:

Mr Bernard is a 56 year old Black British Gentleman living in his own flat in a sheltered Housing Scheme in Lambeth - Carfax Place. He moved to this address from Croydon where he had been placed by Lambeth in Temporary Accommodation where he had lived for 2 yrs following release from prison for an 8 year sentence for sexual offences against a minor.

Mr Bernard did not share details of his personal life or any family but did at one point make reference to having a wife while he was in prison. I note in his records detail of a brother who posed a risk to Mr Bernard. Mr Bernard did not disclose any details on this.

Psychiatric History:

Mr Bernard has a diagnosis of paranoid schizophrenia and is currently on medication for this. He reports he is compliant with his medication and recognises this is essential to staying mentally stable. He denies any current concerns about his mental state.

Clinical notes on epjs state;

Mr Bernard first came into contact with MHA services in 2003 and has a diagnosis of Paranoid Schizophrenia. He has no recorded previous admissions under the mental health act. He reports he is currently stable in his mental state and compliant with his prescribed medication which he collects from his local GP.

From his clincal notes: Relapse indicators include: auditory hallucinations, tactile hallucinations, negative symptoms characterised by poor ADLs, thoughts others know his thoughts / take them out / control them thoughts others can move his body, messages from tv and radio running commentary

Risk to Self - previous report of suicidal behaviour in prison and thoughts to harm self, derogatory hallucinations.

Risk from others / vulnerability / safeguarding – reported threat to his life from his brother (2007); has previously said he has been stabbed – no details

Risk to others / Forensic 2012 conviction for rape – custodial sentence 8 years (offence in 1995) and PNC notes female was under 16 years old; used to be destructive to his own property (e.g. smash TV) when thought they were source of voices; previous conviction for GBH – 3 year custodial term served

Forensic History from Police Records:

3 OFFENCES AGAINST THE PERSON (1983-2004)
1 SEXUAL OFFENCES (2012)
1 OFFENCES AGAINST PROPERTY (1998)
6 THEFT AND KINDRED OFFENCES (1980-2004)
6 PUBLIC DISORDER OFFENCES (1983-2011)
7 OFFENCES RELATING TO POLICE/COURTS/PRISONS (1992-2010)
2 DRUG OFFENCES (1983-2008)
15 MISCELLANEOUS OFFENCES (1986-2001)

Physical Health:

Mr Bernard reports he has asthma and arthritis for which he takes medication for but denies being in any pain or this impacting his ability to look after himself.

Current Situation: Home Visit 16/06/22:

Mr Bernard's flat was clean and tidy, though sparsely furnished/ decorated. Mr Bernard explained that he is reluctant to buy things such as a new cooker, in case he has to move again. Mr Bernard was dressed in clean jeans and presented as well kempt. He was topless but I note it was a very hot day. During the assessment he made himself a smoothie and explained he cooks as best he can, but lacks cooking facilities such as a cooker for reasons aforementioned.

Mr Bernard denies all accusations that have been made against him in regards to his behaviour at the scheme and maintains his innocence. He feels he has been discriminated against and unfairly targeted, and there is little proof of these incidents, besides the statements of the scheme manager and colleagues. Mr Bernard is of the view that other residents

would attest to his innocence and that he has not behaved as has been stated and reports he has video evidence. It was explained that this is not within my remit but rather a solicitor will be best placed to support his legal case with his housing situation.

Mr Bernard reported he would like to live on his own and does not feel he needs additional support or to be in a sheltered scheme, which based on this assessment I would be in agreement with. Mr Bernard accepts that he cannot live in certain areas of Lambeth and would not be opposed to moving to another London Borough.

I do note that his flat is in need of some repairs mostly to the water pressure / toilet which should be followed up by housing.

Activities of Daily Living:

Mr Bernard reported he is fully independent with all activities of daily living. He is able to cook, wash himself, dress and manage his personal care. However due to outstanding repairs in his flat, this can be difficult. For example, his toilet does not flush due to low water pressure and there is not a steady flow from the taps. He explained that to flush the toilet he has to fill up a bucket and flush this down. I note his toilet/ bathroom was very clean, and I observed the low water pressure which I understand would make washing difficult. Mr Bernard reports he is able to complete his laundry on his own, and reports the issue with the scheme manager arose as there was a misunderstanding about which days he can do his laundry. He denies pushing her over or the incident that has been reported stating the police did not arrest him which would have happened if a crime had been committed. He reports if he had his own washing machine and could do this in his flat he would be able to meet this need without issue. He does not wish to purchase a washing machine in case he has to move again.

Mr Bernard demonstrated competent skills on the computer and was able to show us footage of his flat and previous meetings with a support worker and is able to use emails, his phone and communicate with services and others effectively.

Mr Bernard reported he is able to access the community independently, going to Ace of Clubs (charity hub) doing his shopping, attending appointments and managing his affairs without issue. He reported that he manages his finances independently and his rent is paid directly via HB. He reported he is up to date with all bills and does not have an

	debts. I note that in the last two days he has attended my office and attended to the bank to resolve an issue with a lost card without issue and is able to navigate public transport and access services without difficulty. Mr Bernard has attempted to secure a solicitor for his court case, but is having difficult getting a solicitor to take on his case. He says that he has called many but either they do not respond or do not have capacity. I note that LB Barrister also attempted to contact solicitors with no success. I have provided him with a list of solicitors to contact that were given to me from Housing. He has agreed to contact these as it will be essential he secures legal representation. Based on my assessment there was no evidence to doubt Mr Bernard's' capacity to make decisions about his care needs and accommodation, or involvement in the legal process and capacity is assumed under the Mental Capacity Act 2005. Mr Bernard is not eligible for services under the Care Act as he is able to achieve all outcomes without impact on his mental of physical wellbeing. However, Mr Bernard is a vulnerable man at risk of deterioration in his mental state if made homeless and at risk of discrimination from others. Mr Bernard would benefit from support and advocacy in regards to his housing situation, and I consider it essential that he has legal representation in his court case to ensure access to a fair trial. He would benefit from signposting to services that can support him with practical issues, advocacy and liaising with services such as housing to follow up with outstanding repairs.
How are you managing and what has worked in the past?	Mr Bernard feels he is managing independently at present but notes the ongoing court case with housing and the injunction is impacting his mood and worrying him. He found the input of his support worker Hannah (when he lived in Croydon) very helpful and would benefit from this support again, especially in regards to advocacy and support in with his housing situation.
What do you want to do in the future?	Mr Bernard would like to have his own flat where he is able to live his life and have his housing situation and court case resolved.

Personal relationships and who are important to you?

Name	Telephone	Relationship type

From the above list is there a main carer? Or from the above list has a main carer been identified?

○ Yes ◉ No

Is this a joint assessment, recognising the needs of the carer?

○ Yes ○ No ○ Declined

◉ N/A

Are there any professionals involved in your situation? E.g. GP, Nurse, Consultants, Occupational therapists

◉ Yes ○ No

Please provide details

Mr Bernard has recently been referred to the South West Short Term Support Team (mental health team) and allocated a care co-ordinator Patricia Ogunsanu
patricia.ogunsanu@slam.nhs.uk

Employment & Training

Paid Employment or Voluntary Work?

Not working and not currently seeking work

Education or training?

Not in education or training

Fire Risk

Is there an identified fire risk?

○ Yes ◉ No

Can the person evacuate the property unaided?

◉ Yes ○ No

How?

Independently mobile

Is a referral to LFB required for a smoke alarm

○ Yes ○ No ○ Declined

Accommodation

Tenure type	
Accommodation type	
Access notes (please consider the layout of the property and include any information that you have around this)	

Service user type

☐ Older Persons ☐ Physical Disabilities

☐ Learning Disabilities ☐ Mental Health

☐ Older Persons Mental Health ☐ Substance Misuse Team

Personal Details

Name	Mr Oliver George Bernard
Address	33 Carfax Place London SW4 7BQ
Date of Birth	12-Oct-1965
Age	56
Gender	Male
Which of the following options best describes how you think of yourself?	Not known (not recorded)
Ethnicity	Not Known or Stated
NI Number	
NHS Number:	432 687 9297
Primary Service User Group	Mental Health Support

GP Surgery Telephone

Continuing Health Care (CHC) Assessment

Does this person require a CHC assessment

○ Yes ◉ No

Financial Assessment

Have you discussed the charging policy?

○ Yes ◉ No

Why not? No services recommended

Next Actions

Selected Next Actions

Next Action	Assigned to	Reason
LBL Closed - Advice Given		

LBL ASC Eligibility Criteria

Criteria

Please give details of any adaptation or equipment that has been put in

1. Managing and maintaining nutrition

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

2. Maintaining personal hygiene

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

3. Maintaining toilet needs

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

4. Being appropriately clothed

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

5. Being able to make use of the home safely

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

6. Maintaining a habitable home environment

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

7. Developing and maintaining family or other personal relationships

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

8. Accessing and engaging in work, training, education or volunteering

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

9. Making use of necessary facilities or services in the local community including transport and recreational facilities/services

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

10. Carrying out any caring responsibilities the adult has for a child

Is the person able to achieve this outcome?

◉ Yes ○ No ○ With limitations

Details

Is the barrier to this due to physical or mental illness?

○ Yes ○ No

Does this have a significant impact on their physical or mental well being?

○ Yes ○ No

Risks

Have any risks been identified?

◉ Yes ○ No

Risk table

Risk identified	Level of risk	Who identified the risk?	Details	Measures to mitigate
Deteriorating mental health	Moderate	Social Worker	Mr Bernard has a diagnosis of paranoid schizophrenia and is currently on psychiatric medication. He is part of an ongoing court case with housing that may impact his mental health increasing associated risks. He is at risk of homelessness which would have	Mr Bernard has been referred to the mental health team to review his mental state and offer support Mr Bernard has been advised to seek legal support to assist him with his legal case and reduce the risk of homelessness which would have a negative impact on his mental

Risk identified	Level of risk	Who identified the risk?	Details	Measures to mitigate
			a negative impact on his mental wellbeing.	state and been provided a list of solicitors to contact.
Risk to others	Moderate	Social Worker	Mr Bernard has a forensic history and has served a prison sentence for sexual offences. There have been more recent reports of violence and aggressive behaviour from the scheme manager and Mr Bernard is accused of assaulting the scheme manager, intimidating behaviour to other residents and anti social behaviour, for which housing seek an injunction	Mr Bernard has been referred to the mental health team to assess his mental state and if this behaviour is linked to his mental health diagnosis and an indication of deteriorating mental state The Police are involved in his housing situation and are to be informed and included in decisions about where Mr Bernard lives Police to be contacted if any further incidents of a criminal nature and appropriate action will be taken by the police as within their remit
Risk from others	Moderate	Social Worker	Mr Bernard reports being discriminated against and unfairly treated by other residents, staff and services due his criminal conviction.	Mr Bernard would benefit from advocacy/support to assist with his housing situation Mr Bernard requires a solicitor and legal support in his pending court case to

Risk identified	Level of risk	Who identified the risk?	Details	Measures to mitigate
			Mr Bernard may be at risk of harm from others or from retaliation if his behaviour is considered risky or threatening.	ensure access to a fair trial

Professional opinion

The Person will be considered eligible for services if:

1. They have needs due to physical or mental impairment or illness
2. Those needs mean they are unable to achieve two or more specified outcomes.
3. And as a consequence there is, or there is likely to be a significant impact on their well-being.The person is unable to achieve an outcome if, they need assistance, or if they are able to achieve it without assistance but causes them pain, distress, anxiety, endangers health or safety and/or takes significantly longer than normally expected. The 9 areas of wellbeing are: personal dignity / physical and mental health and emotional wellbeing / protection from abuse and neglect / control by individual over day to day life / participation in work, education, training or recreation / social and economic well-being / domestic family personal relationships / suitability of living accommodation / the individual's contribution to society

Based on the answers above is the overall impact on the person's wellbeing significant and therefore indicates eligibility?

Eligibility

○ Eligible ◉ Not Eligible

Please provide a summary of the person's well-being

Mr Bernard is a 56 year old man with a historic diagnosis of paranoid schizophrenia. However, he reports his mental state is stable at present and upon assessment is deemed able to achieve all outcomes of the Care Act 2014 and is therefore ineligible for services.

There is no indication that his mental or physical impairment impact his ability to achieve outcomes. He is in agreement with this decision and does not report any difficulty achieving outcomes.

His main area of need is regarding his housing situation and pending court case. Mr Bernard is able to live independently but would benefit from support with liaising with services and advocacy to resolve housing issues. Any issues of a criminal nature should be dealt with by police/ legal system and Mr Bernard would benefit from independent support and advocacy during this process.

Mr Bernard is not eligible for services under the Care Act as he is able to achieve all outcomes without impact on his mental of physical wellbeing. However, Mr Bernard is a vulnerable man at risk of deterioration in his mental state if made homeless and at risk of discrimination from others. Mr Bernard would benefit from support and advocacy in regards to his housing situation, and I consider it essential that he has legal representation in his court case to ensure access to a fair trial. He would benefit from signposting to services that can support him with practical issues, advocacy and liaising with services such as housing to follow up with outstanding repairs.

It is my professional recommendation that he is signposted to support and advocacy agency that can assist him with his housing issues, and that he is able to secure legal representation for his court case.

Information and advice provided

Please provide details of all Information and Advice provided to the service user Information and Advice provided with

Information and advice

Date	info & advice type	Info & advice details provided
17/06/2022	Other	Mr Bernard has been provided a list of solicitors he can contact
17/06/2022	Other	Mr Bernard to be signposted to advocacy and support through Centre 70 and Ace of Clubs
17/06/2022	General	Mr Bernard has been referred to mental health services who will review his mental state and can offer practical support / care co-ordination

Primary Care Support England

FAO Access Team
Primary Care Support England
PO Box 350
Darlington
DL1 9QN
Telephone: 0333 014 2884
Email address:
pcse.accessrequests@nhs.net

Emily Black

emily.black@tvedwards.com

Your Ref: KBN/BER37 4/1

PCSE Ref**: CAS**-3903463-C2N3P2

Date: 23.08.2022

Dear Emily

Re: Request for access to medical records

Following your application for the records of Oliver George Bernard, we enclose a copy of the record.

NHS England and NHS Improvement's subject access and information disclosure guidelines contain safeguards to ensure the individual's identity has been verified and the applicant falls within the criteria set out by statute.

It is long-established practice that health professionals consider applications for both living and deceased patients before the decision is taken to release records, either in whole or in part. This is a statutory requirement for deceased patients under Section 5(4) of the Access to Health Records Act 1990. When disclosing information for living individuals, we consider the principles of the General Data Protection Regulation (Data Protection Law). The NHSE will not disclose any information irrelevant to the application.

Based on the evidence supplied in your application, the appointed NHS England and NHS Improvement appropriate health professional has authorised a **subset** of records, relevant to the claim or claim arising held by Primary Care Support England.

Please note the following reasons for the **NHSE Health Professionals** decision on disclosure:

The NHSE Health Professional has removed information identifying a third party other than NHSE Health Professionals.

Records within the requested time period have been released.

Records disclosed for the request period.

Please note that NHS England and NHS Improvement, as data controller, considered the civil law and the Department of Health and Social Care's guidance to reach this decision. Primary Care Support England cannot override this decision.

You can find further information at:

NHS England
https://www.nhs.uk/using-the-nhs/about-the-nhs/how-to-access-your-health-records/

Department of Health and Social Care guidance
https://www.igt.hscic.gov.uk/WhatsNewDocuments/Access%20to%20Health%20Records%20Feb%202010.pdf

British Medical Association guidance
https://www.bma.org.uk/connecting-doctors/search?q=disclosure%20of%20health%20records

Primary Care Support England
https://pcse.england.nhs.uk/services/gp-records/accessing-medical-records/

Information Commissioner's Office (ICO)
https://ico.org.uk/media/2259722/subject-access-code-of-practice.pdf

Primary Care Support England can only provide a copy of GP health records. Other parts of a patient's health record may be held by hospitals, community or mental health trusts, as well as previous GP practices. We cannot provide access to these records, and you therefore may wish to apply separately to another health organization.

Primary Care Support England does not store:

- X-rays/transparencies – these will remain with the relevant NHS trust
- digital records
- hospital records – apply to the NHS trust
- private clinic records – available from the clinic concerned.
- Child Health/ Nursing Homes – these will remain with the source.

Your application is now closed following the decision on disclosure.

Your right to appeal/complain

You have the right to appeal against the NHSE Health Professional's decision on disclosure, to do so email: **pcse.accessrequests@nhs.net**

If you are not happy with the decision following the appeals process and would like to take the matter further, you can take your complaint to the Parliamentary and Health Service Ombudsman (PHSO), which makes final decisions on unresolved complaints about the NHS in England. It is an independent service which is free for everyone to use. It is important that you make the complaint as soon as you receive our correspondence, as there are time limits for the ombudsman to look into complaints.

To take your complaint to the ombudsman please visit www.ombudsman.org.uk/make-a-complaint or call 0345 0154033.

You can also write to:

Parliamentary and Health Service Ombudsman

Yours sincerely,

Access Team
Primary Care Support England

pcse.accessrequests@nhs.net
www.pcse.england.nhs.uk/recordsrequests/

THIS PAGE IS RESERVED FOR OFFICIAL OBSERVATIONS

CETTE PAGE EST RESERVEE AUX OBSERVATIONS OFFICIELLES (11)

THERE ARE NO OFFICIAL OBSERVATIONS

Holder's signature/Signature du titulaire (10)

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

PASSPORT
PASSEPORT

Type/Type: P

Code/Code: GBR

Passport No./Passeport No.: 125258600

Surname/Nom (1)
BERNARD

Given names/Prénoms (2)
OLIVER GEORGE

Nationality/Nationalité (3)
BRITISH CITIZEN

Date of birth/Date de naissance (4)
12 OCT /OCT 65

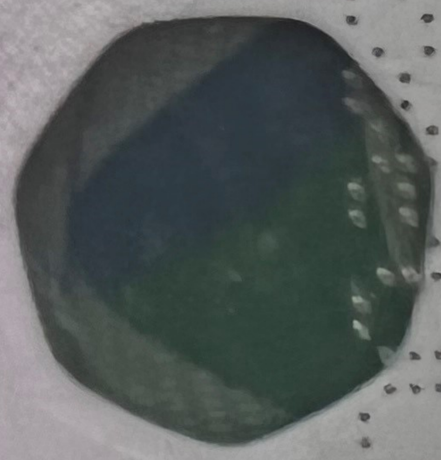
Sex/Sexe (5): M

Place of birth/Lieu de naissance (6)
DULWICH

Date of issue/Date de délivrance (7): 23 MAR /MARS 21

Authority/Autorité (8): HMPO

Date of expiry/Date d'expiration (9)
23 MAR /MARS 31



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From: Miriam Hargreaves
Sent: 15 July 2022 11:34:53
To: Nina Franklin
Subject: RE: Oliver Bernard - Notification of Hearing - Clerkenwell & Shoreditch - 24 August 2022 - URGENT
Attachments: OB eligibility criteria.pdf, OB assessment.pdf

Janet Coote

From: Janet Coote
Sent: 26 May 2022 11:44
To: [redacted]
Cc: [redacted]
Subject: FW: Oliver Bernard - 33 Carfax Place dob 12-OCT-1965
Attachments: Disclosure To Lambeth 2022.doc

Importance: High

Please see the attached received from the Police Jigsaw Officer for your immediate attention.

Regards,

Janet Coote
Resident Services
Enforcement Officer
Tel:020 7926 6000
E: jcoote@lambeth.gov.uk
W: www.lambeth.gov.uk

Postal Address:
London Borough of Lambeth
PO Box 734
Winchester
SO23 5DG

Lambeth
We are working with our partners to build a #BetterLambeth - find out more at http://love.lambeth.gov.uk/better

From: [redacted]
Sent: 26 May 2022 11:33
To: Janet Coote <JCoote@lambeth.gov.uk>
Subject: RE: Oliver Bernard - 33 Carfax Place dob 12-OCT-1965

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Janet,

Hope you are well.

As promised, this is the disclosure for Mr Bernard.

He is on the sex offenders register for life.

If you need any further info, please let me know.

Thanks

Alvin

DC Alvin McLean
Lambeth Public Protection Unit
Brixton Police Station
367 Brixton Road
London
SW9 7DD

0208 649 2071
07769 885 931

METROPOLITAN POLICE TOTAL POLICING

Territorial Policing

Disclosure

Oliver BERNARD

Oliver BERNARD is a convicted registered sex offender, who has been assessed as being high risk. On 12th October 2012, he was sentenced to 8 years imprisonment for rape of 14 year old school girl. Ths was a stranger attack. This offence took place on 25th January 1996 but was not solved until 2012 due to a cold case review and the advancement of DNA technology.

On 25th January 1996,the victim who was 14 years old, was on her way home, when she came across BERNARD. He apparaoched her and spoke to her as if he knew her.

He put his hand over her mouth and below her neck and told her that if she screamed he would cut her throat. She then noticed that he had a stanley knife againsther neck. He took her to an underground garage and raped her. The matter was immediately reported to police but the investigation failed to identify anyone.

In 2011 there was a cold case review and BERNARD was identified as being the person responsible for this offence. He was arrested and denied the offence. He was charged with rape and appeared at The Central Criminal Court (old Bailey) on 17th July 20212, where he pled guilty. He was sentenced on 12th October 2012 and given a 8 year prison sentence.

Bernard denies the offence, although there is foresenic evidence linking him to the victim and the crime scene, but admits sexual activity with her. He poses a risk of harm to young females, whom he could groom and sexually assault.

There is significant risk of harm if the information is not disclosed or shared with the London Borough of Lambeth Housing, especially if he should re-offend.

Due to his conviction he has been placed on the sex offenders register for life.

There is a risk to MAPPA,the police, The Mental Health Trust and London Borough of Lambeth Housing (mainly those in Carfax Place) of substantial criticism if no disclosure is undertaken and BERNARD re-offends.

DC Alvin McLean

Lambeth Public Protection Unit - 0208 649 2071.

Alvin.mclean@met.police.uk

To: Janet Coote <JCoote@lambeth.gov.uk>
Subject: RE: URGENT - Oliver Bernard - 33 Carfax Place dob 12-OCT-1965

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Janet,

Thank you for contacting me today. I can only apologise that you have not been updated about this individual.

Oliver's index offence was that of Rape of a female under the age of 16, she was 14 years old. It involved a knifepoint abduction/rape of a child previously known to him (he had seen her in the area). The offence took place during the hours of darkness.

He was identified several years later after a Cold case review. He was identified by DNA.

There appeared to be some element of planning and the victim was known in the local community and described by Oliver as a JUNKIE.

He had with him a knife, condom and there was a garaged area, somewhat concealed where the offence could take place. It was not considered a spontaneous act, but planned.

He was convicted of Rape in 1996 and received a sentence of 8 years in prison.

He continues to deny the offence and initially in his Police interview he claimed not to be able to recall events. He later, whilst in prison claimed the sex was consensual.

His current diagnosis of Schizophrenia post-dates the offence and was mentioned by Defence at trial but it was not relied upon as a mitigating factor suggesting that Oliver's MH was not linked to his offending.

Whilst he resided In Croydon his management has been problematic.

I have serious concerns about residency in Lambeth. I note from our records that Lambeth Jigsaw unit was never consulted in this matter, which might have assisted in any suitability checks to the current property.

Disclosure would have been conducted to the relevant parties, should this man commit another sexual offence then this could have a significant impact on all agencies involved. Questions could be asked about what is the current risk management plan? Was this matter considered to be discussed at MAPPA? Who made the decisions and where is documented.

If you need any further assistance, please let me know.

Thanks

Alvin

DC Alvin McLean
Lambeth Public Protection Unit
Brixton Police Station
367 Brixton Road
London
SW9 7DD

0208 649 2071
07769 885 931

Janet Coote

From: Janet Coote
Sent: 30 May 2022 09:22
To: [redacted]
Cc: [redacted]
Subject: RE: URGENT- SPA Outcome Letter NHS: 432 687 9297
Attachments: OB 26-39-57 OC Letter SPA.pdf

Importance: High

Dear All,

Please see the email we received from the scheme manager at Carfax re OB below on 27.5.22. I understand that you have advised that OB does not need your support but we are very concerned that his behaviour have advanced further out of control. Can you please look into this matter to support OB urgently.

For your information regarding the above subject matter, some of the Carfax residents have again reported about a few events that happened at the scheme last weekend. Below are some of the information received:

1. ***On Saturday afternoon, Mr Oliver Bernard (OB) was seen parading the communal walkway wearing only short knickers. A resident described the situation as a very frightening and unpleasant one as OB continued to yell and swear around some of the grandchildren of other residents were playing in the scheme communal garden. Residents said they were scared and everyone has to return to their flats immediately.***

2. ***During that same weekend, OB was again seen half naked standing at the middle of the road nearby the scheme as he continued controlling the traffic for a while and later returned to the scheme and started throwing items of trash on the communal area through his window.***

3. ***Two other residents reported that on several occasions, OB hides in the Residents Communal hall / laundry area with the lights off, and he emerges suddenly and walks away as soon as anyone comes into the hall. Another resident said to me that she almost fainted out of fear by this man's action.***

Please also note that I always notice him staring constantly at the office entrance through his kitchen window which is very intimidating and scary to me. On Friday the 13th May, he came to the office holding a long iron bar and demanding changes to the communal washing rota but when Deen came to the office OB immediately fled. Something needs to get done on time about this resident please.

Regards,

Janet Coote
Resident Services
Enforcement Officer
Tel:020 7926 6000
E: jcoote@lambeth.gov.uk
W: www.lambeth.gov.uk

Postal Address:

III

Our Ref: DHS/HOS/RTB/HRA005

Your Rent Account Reference: 720681010
Your Application Reference:

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

Lambeth

15 July 2022

Dear Mr O Bernard

Please find enclosed your rent statement which shows the weekly charge details and any payments made between 1st April 2022 and 15th July 2022.

This statement will only show the weekly charges and payments up to 10th July 2022. However if you made a payment up to 7 days ago it may not have been received in time to appear on this statement.

Please remember it may take more than a week from the statement being printed to it arriving at your home.

If you made a payment before 10th July 2022, and it is not shown on this statement, you can check with the Lambeth Service Centre on 0207 926 1000 to see if the payment was received at a later date. If the payment was not received then you will need to produce a receipt showing the payment was made or a statement showing the payment leaving your bank account

If you are having difficulty paying your rent and charges please contact your Income Officer. Your Income Officer can help with;

- welfare benefit advice, to make sure you are claiming all the benefits you can get;
- help with housing benefit applications;
- advise/refer you to other agencies who could help you.

If you are in arrears of more than one week's rent and are authorised for Housing, you may be suspended from bidding from the Council's Choice Based Lettings Scheme.

We may serve a Notice to Quit (NTQ) and re-possess the property and evict you for rent arrears.

Yours sincerely,

Revenue and Charges Officer
Telephone: 020 7926 9070
Email: **TARents@lambeth.gov.uk**

Lambeth Housing
PO Box 67088
London
SW2 9JZ

Telephone: 020 7926 9070
Facsimile: 020 7926 4254
Email: TARents@lambeth.gov.uk
www.lambeth.gov.uk

INVESTOR IN PEOPLE

Your Weekly Charge Details for Property:

33 Carfax Place, London, SW4 7BQ

As of the date of this letter your current weekly Rent is: £138.48

As at the date of this letter your account is £248.75 in Arrears. This figure includes this weeks rent and any payments made this week. However, as Lambeth balances its accounts at the end of the week these amounts may not appear in the list of transactions shown below.

The list below shows the charges that make up your weekly rent:

24 HR Heating	£	8.93
24 HR Heating	£	464.10
24HR Hot Water	£	2.38
24HR Hot Water	£	123.76
Basic Rent	£	90.81
Communal - Caretaking	£	1.51
Communal - Disinfection & Disinfestation	£	0.99
Communal - Estate Cleaning	£	7.68
Communal - Ground Maintenance	£	1.43
Communal - Lighting	£	3.50
Door Entry Systems	£	1.99
Sheltered Careline24/ Support Service	£	4.26
Sheltered Housing Management Service	£	15.00
Total Rent:	**£**	**138.48**

STATEMENT OF RENT ACCOUNT – THIS IS NOT A BILL

	Transactions				
Transaction Date	**Rent Charged (£)**	**Rent Paid (£)**	**Description**	**Balance (£)**	
27-Mar-22			Opening Balance	0.00	
27-Mar-22	132.76		Rent Charge	132.76	Arrears
03-Apr-22	138.48		Rent Charge	271.24	Arrears
10-Apr-22	138.48		Rent Charge	409.72	Arrears
17-Apr-22	138.48		Rent Charge	548.20	Arrears
24-Apr-22	138.48		Rent Charge	686.68	Arrears
01-May-22	138.48		Rent Charge	825.16	Arrears
08-May-22	138.48		Rent Charge	963.64	Arrears
15-May-22	138.48		Rent Charge	1102.12	Arrears
20-May-22		860.37	Housing Benefit Underpayment	241.75	Arrears
22-May-22	138.48		Rent Charge	380.23	Arrears
20-May-22		240.47	Housing Benefit	139.76	Arrears
27-May-22		122.91	Housing Benefit	16.85	Arrears
29-May-22	138.48		Rent Charge	155.33	Arrears
05-Jun-22	138.48		Rent Charge	293.81	Arrears
03-Jun-22		122.91	Housing Benefit	170.90	Arrears
12-Jun-22	138.48		Rent Charge	309.38	Arrears
10-Jun-22		122.91	Housing Benefit	186.47	Arrears
17-Jun-22		122.91	Housing Benefit	63.56	Arrears
19-Jun-22	138.48		Rent Charge	202.04	Arrears
24-Jun-22		122.91	Housing Benefit	79.13	Arrears

Lambeth Housing
PO Box 67088
London
SW2 9JZ

Telephone: 020 7926 9070
Facsimile: 020 7926 4254
Email: TARents@lambeth.gov.uk
www.lambeth.gov.uk

INVESTOR IN PEOPLE

26-Jun-22	138.48		Rent Charge	217.61	Arrears
03-Jul-22	138.48		Rent Charge	356.09	Arrears
01-Jul-22		122.91	Housing Benefit	233.18	Arrears
08-Jul-22		122.91	Housing Benefit	110.27	Arrears
10-Jul-22	138.48		Rent Charge	248.75	Arrears

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INVESTOR IN PEOPLE

Home Going and Thanksgiving Service

For the Life of

Joyce Lloydolyne Bernard

25th April 1934 - 26th March 2007

Service on Saturday 21st April 2007, 11.00am
to be held at
New Testament Church of God
Lambert Road, Brixton,
London SW2 5BB

Officiating Ministers
Bishop Dr. Rudolph H Parkinson
Bishop Dr. Paul Black

South London and Maudsley NHS
NHS Foundation Trust

Lambeth South West Short-Term Support Team
Gracefield Gardens Health Centre
2-8 Gracefield Gardens
Streatham
London
SW16 2ST

Telephone: 0203 228 8100

Living Well
Network
Alliance

Consultants: Dr N Babatunde; Dr A De Michieli

Private & Confidential

26/07/2022

Dear Mr Oliver Bernard,

I hope you enjoyed your holiday to Calais.

We would like to offer you the opportunity to opt-in to working with the Lambeth Short Term Support Service.

We hope that your situation has improved and that you no longer need our support, but if things are not going well for you, we can offer you advice, treatment, and practical support.

If you would like to be seen by the Lambeth Short Term Support service to discuss your mental health and wellbeing, please contact us on 020 3228 8100 to opt-in and arrange a mutually convenient time for a further appointment.

The office is staffed from 9.00 am to 5.00 pm Monday to Friday except on Bank Holidays.

Alternatively, please email me on Olivia.laidlaw@slam.nhs.uk

If we do not hear from you by **09/08/2022**, we will assume that you no longer require our services and we will discharge your care back to your GP.

Yours sincerely,

Olivia Laidlaw

Community Practitioner
Lambeth South West Short Term Support Service
Gracefield Gardens Health Centre, 2-8 Gracefield Gardens, Streatham, SW16 2ST
Tel Office/Duty: 0203 228 8100
South London and Maudsley NHS Foundation Trust

National Probation Service

VICTIM PERSONAL STATEMENT FOR CONSIDERATION BY THE PAROLE BOARD

I wish to make the following comments to the Parole Board about the impact of the offence on myself and/or my family.

I felt like I was robbed on that day. I was only 14 but I was friendly and hopeful. What I learned is that I had no control over what happened to me. I didn't feel young then but when I think of it now I remember singing a song from Lion King over and over in my head while he was raping me to distract myself from what was happening. Lion King is a cartoon and to think that I took refuge in a cartoon while being attacked deprosses me now. I remember desperately trying to bargain my way out of it and still being subjected to this violation. The impact it has had on me is immeasurable. I had to push his Stanley blade under a garage door while he was inside me because I thought he might slit my throat when he was done. I will never, ever forget the feeling of that blade on my throat; the fear of losing my life. I was almost relieved to be raped because it meant he wasn't going to murder me. At least not right away. I remember running. I have never before run for my life and never since. I remember the desperation with which I screamed my sisters name and pounding on the front door. I remember falling through the door when she opened it and knocking her over, kicking the door shut with my foot, terrified. I was screaming and trying to tell her what had happened and her shouting over me "I CAN'T UNDERSTAND YOU". I remember her face crumbling and her covering her mouth when she finally understood, the tears streaming down her face.

I will never forget any of those things. I had to take the morning after pill which made me feel sick and vomit, I had to be violated all over again taking the evidence for the rape kit and I had to tell officers what had happened to me in front of my family and feeling the shame of it. My life never fully recovered from there. By 15 I was more often truanting from school than attending and I had started drinking alcohol because it gave me that state of mind where I didn't have to think. The attack happened opposite my house and I had to pass that underground garage every single day to leave and re-enter my house. It was horrible. I started staying at friends' houses just so I didn't have to go home. But, of course the well behaved households wouldn't just let a young girl stay the night so I fell in with worse and worse crowds. I had my first taste of crack cocaine at 15 and I had never been so grateful. I didn't have to feel filthy anymore; I didn't have to be scared. My mind turned into a white space where I didn't feel anything and it was all I wanted. I tried to have a life but I felt like I was ruined. I felt like I must have done something to deserve this. I moved into abusive relationships, my daughters' dad violated me regularly and invited his friend to do so too. I felt so little self-worth that it was years before I escaped. Fighting addiction and fear has been so hard for me. I was constantly terrified. I committed crimes and I went to jail twice. When I did have a long term relationship with was over a year before I would sleep with a weapon under my pillow or be intimate without a phone in my hand. Sometimes I would dial 99 just so if the worst happened I could get to the police quicker.

I know, without a doubt that this has all been the result of this attack. I have three older sisters who all grew up and went to university and got jobs and got married all without ever claiming a social benefit. I went down such a dark depressive hole and my life was so different that there was no other explanation. I would never have been exposed to the people and things that I was exposed to had this not happened to me. I was broken and in a way I still am. I can't have a Stanley knife in the same house and I don't go to my mum's house without walking smack bang in the middle of the road so people can see me. When my daughter was young I taught her that if anyone ever grabbed her she was never to freeze in fear but to scream and ever couple of weeks, we'd be out shopping and I would just grab her and scare her so that she would scream. I never wanted this to happen to her. I practically banned her from going to Grandmas

Oct 2017 v1.0

National Probation Service

I wish to make the following comments to the Parole Board about the possible impact of the offender's release on myself and/or my family.

unless someone was dropping her off and picking her up because I didn't want her to walk past the place where I was raped. I didn't want her to get hurt.

I am now in a much more stable place but it took me over 20 years to get here and I only really started my road to recovery in 2012, after I knew that they had finally caught him. I forced myself to go to court because I wanted to prove to myself that he was just a man and not the big bad bogey monster. I felt so offended that he didn't just put his hands up and say sorry but tried to give excuses. There is never a valid excuse for raping a child. I had a breakdown after the sentencing and I was sure that he would try and find me and kill me for making him go to jail. I changed my name and the fear came back 10 fold. Then there was that business when I started getting letters linked to his address after he had been released. A place I had never been to. More fear and again I had to move. Why should I live in fear? I believe in forgiveness. As both a victim and an ex offender I believe that everyone should be given a chance to turn their life around and do better. I have. To know that my attacker had changed into a better person would mean so much to me. If he doesn't make that effort to change then they should finish their sentence rather than risk re-offending and possibly destroying another child's life.

Name of Victim: Leticia Briscoe

Signed:

Date: 06/11/17

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www.lambethtogether.net/living-well

Date of introduction:

The Lambeth Single Point of Access (SPA) Introduction Form

If you need help completing this form, or have questions, call **0800 090 2456** (Mon to Fri, 9am to 5pm).

For more information visit www.lambethtogether.net/spa

All agencies making introductions should use this form in the first instance, please do not send letters.

Information About the Person being Introduced to the Single Point of Access		
Name: **Oliver Bernard** Gender: **Male**	Date of Birth: **12.10.1965**	NHS No: **432 687 9297**
Address: **Mr Bernard will be homeless on release and will attend Lambeth council offices on the day of his release and request a priority needs assessment. He has a cover letter which I have attached.**	Home telephone:	Permission to leave message; Yes\ No
	Mobile: **Mr Bernard will advise you of his number when he collects his phone on release.**	Permission to leave message; Yes
	Other alternative phone: **Sister: Paulina Martin 07961 301 794**	Permission to leave message; **Yes**
	Email:	Permission to Use ; Yes\ No

Do you or the person you are introducing need an interpreter? **NO**

What language would you\they need, please include British Sign Language?

Is there any other support that you\they need to use our services? (For example: communication by text or email, lift or wheelchair access to buildings)

Person is aware and agrees to introduction - **YES** □ Tick if you have completed the form yourself

If not completing this for yourself, what is your relationship to the person you are introducing - include your name?	Contact details: Jane Singh Mental Health Nurse Mental Health In-Reach Team HMP Elmley

List services or people that provide emotional, mental health or other support:
HMP Elmley Healthcare department.

GP details

GP surgery: The Vine Medical Centre	Contact details: 13 Tonbridge Road, Maidstone, Kent ME16 8RL.

Current medication: Amisulpride 200mg tablets 1 AM and 2 PM. Mirtazapine 30mg once a day. Risperidone 2mg twice a day. Clonazepam 500microgram twice a day. Procyclidine 5mg three times a day.
Copy of medication prescribed whilst in custody is included.

Introduction details

RESTRICTED when complete

Form 3316A

METROPOLITAN POLICE

TOTAL POLICING

Sex Offenders Notification Form
Part 2 of The SEXUAL OFFENCES ACT 2003

This form should be completed by a police officer or other authorised person at a prescribed police station when a sex offender who has been convicted of an offence provides information to fulfil their obligations under the Act. When completed, a copy of this form should be given to the offender as an acknowledgement of their notification, as required by the Act.

Notification Details

Name: (on caution / conviction / finding including aliases)	Oliver BERNARD		
Date of Birth:	12/10/1965	**Place of Birth:**	
National Insurance No.:			
CRO No. / PNC ID No.:		**PND or SID:**	
Address on conviction: (initial registration only)		**Post Code:**	
Current Address:	27 The Drive, Thornton Heath, Croydon	**Post Code:**	CR7 8LB
Tel. / Mobile / E-mail:	07908404232		
Residence or stay with a child for at least 12 hours?			
Date of conviction:		**Court:**	
Offence:			

Passport Details

Passport Number:			
Start Date:		**End Date:**	
Name and D.O.B. as it appears in the passport:			
Description of identity or other document: (where a UK passport is not held)			
Issue number (If any) and name as it appears in the identity or other document (where a UK passport is not held)			

Specify the type of or reason for registration:

Initial Notification after caution/conviction	☐	**Residence with under 18**	☐
Initial Notification on release from custody	☐	**Re-notification on release from Prison/Custody**	☐
Change of address	☐	**Change of name**	☐
Annual Notification	☐	**New passport details**	☐
Notification of qualifying address	☐	**New bank details**	☒
Other Reason: (please specify below)	☐		

Bank/credit card/post office account details

1) Account details

Account Type:	**Bank**	☐	**Credit**	☒	**Post Office**	☐
Banking/Finance Institution:	Amazon					
Account Number:			**Sort Code:**			
Issuing Branch:						
Name(s) on Account:	MR OLIVER BERNARD					
Card Held: (Mastercard,Visa etc.)	MASTERCARD					
Card Number: (16 digit number)	5368392056537026	**From:**		**To:**	09/26	

Bank/credit card/post office account details

2) Account details

Account Type:	**Bank**	☒	**Credit**	☐	**Post Office**	☐
Banking/Finance Institution:	METRO BANK					
Account Number:	41657138		**Sort Code:**	23-05-80		
Issuing Branch:						
Name(s) on Account:	MR O BERNARD					
Card Held: (Mastercard,Visa etc.)	MASTERCARD					
Card Number: (16 digit number)	5573615088631578	**From:**	09/21	**To:**	09/24	

Bank/credit card/post office account details

3) Account details

Account Type:	**Bank**	☐	**Credit**	☐	**Post Office**	☐
Banking/Finance Institution:						
Account Number:			**Sort Code:**			
Issuing Branch:						
Name(s) on Account:						
Card Held: (Mastercard,Visa etc.)						
Card Number: (16 digit number)		**From:**		**To:**		

Bank/credit card/post office account details

4) Account details

Account Type:	**Bank**	☐	**Credit**	☐	**Post Office**	☐
Banking/Finance Institution:						
Account Number:			**Sort Code:**			
Issuing Branch:						
Name(s) on Account:						
Card Held: (Mastercard,Visa etc.)						
Card Number: (16 digit number)		**From:**		**To:**		

Note: The name of any joint account holder(s) is not required.

Changes to Existing Notification Details

New Name: (including alias)				
New Home Address:			**Post Code:**	
Is this new address permanent or temporary?	**Permanent**	☐	**Temporary**	☐
Date effective:	**From**		**To**	
Is this notification made in advance of the change?	**Yes**	☐	**No**	☐

For advance notifications, if the change takes place more than 2 days before the anticipated date, the police must be informed. If an advance notification is made and the change has not taken place 3 days after the anticipated date, the police must be informed within 6 days of the anticipated change.

a) Qualifying address - any other address at which the offender has stayed or resided for a period of 7 days

Address: (Either in one continuous period, or 2 or more periods in any 12 month period)			**Post Code:**	
Tel. / Mobile / E-mail:	(Not mandatory)			
Date effective:	**From**		**To**	
Is this notification made in advance of the change?	**Yes**	☐	**No**	☐

b) Residence or stay with a child for at least 12 hours

Address:			**Post Code:**	
Date effective:	**From**		**To**	
Is this notification made in advance of the change?	**Yes**	☐	**No**	☐

c) Additional Address

Address:			**Post Code:**	
Tel. / Mobile / E-mail:	(Not mandatory)			
Date effective:	**From**		**To**	

Photograph / Fingerprints / DNA

The Sexual Offences Act 2003 gives the police power to take fingerprints from and/or photograph all registered sex offenders when making a notification at a police station for identification purposes.

Photograph taken	**Yes**	☐	**No**	☒	**Fingerprints**	**Yes**	☐	**No**	☒

Current Vehicle(s)

Make/Model:		**Registration/ Index Number**		**Colour:**	
Make/Model:		**Registration/ Index Number**		**Colour:**	
Make/Model:		**Registration/ Index Number**		**Colour:**	

Monitoring

Offender Informed that his/her movement may be monitored including any vehicle used.	**Yes**	☐	**No**	☒

Officer Completing the Registration Form

Officer Name:	PAO LYU	**Station:**	BRIXTON
Police Station where Registered:	BRIXTON	**Rank/Registered No.:**	C741609
Signature:	PAO LYU	**Date:**	22/09/2021

Contraventions of Notification Requirements

Has the offender contravened any of the requirements under the Sexual Offences Act 2003	**Yes**	☐	**No**	☒
Contravention details:				
Reported for offence:	**Yes**	☐	**No**	☒

Offenders Signature (There is no legal requirement on the offender to sign this form. Refusal or failure to sign will not invalidate this form.)

I hereby confirm that my details are correct and that I understand my obligations under the Sexual Offences Act 2003 and that ignorance of my obligations is no defence in law.

Refused to Sign			**Yes**	☐	**No** ☒
Name:	Mr OG Bernard	**Station:**	BRIXTON		
Signature:		**Date:**	22/09/2021		

Retention Period: For the life of the open file

SEX OFFENDERS REGISTRATION FORM (Part 2)

This form should be completed by a police officer or other authorised person at a police station when a relevant offender who has been cautioned or convicted of an offence, or found not guilty by reason of insanity or to be under a disability and to have done the act charged, provides information to fulfil his or her obligations under Sexual Offences Act 2003 (the 2003 Act). (The requirements of registration are explained below). When completed, a copy of this form will be given to the offender as an acknowledgement of his notification, as required by the 2003 Act)

A person required by the 2003 Act to register with the police is required by law to:

i. Notify the police within 3 days of the caution, conviction or finding (or, if he is in custody or otherwise detained, 3 days from his release) of his name, his date of birth and his home address at the time of his conviction, caution or finding. (Section 83)

In addition, he/she is also required to notify the police of his/her current name, including any aliases he/she uses, and his/her sole or main residence in the United Kingdom or, if he/she has no such residence, any premises in the United Kingdom at which he/she can be found, if either are different from the name and address at the time of conviction.

ii. Submit on initial notification, notification of any changes to registered details and periodic notification to having his/her fingerprints and photograph taken. (Section 87(4))

iii. Notify the police of any changes to the name and address he/she has registered within 3 days of the date of any change, including release from prison for subsequent offences. (Section 84)

iv. Notify the police of any address where he resides or stays for 7 days or longer. This means either 7 days at a time, or a total of 7 days in any 12-month period. (Section 84)

v. Notify the police no less than 7 days in advance of any intended period of foreign travel, with such information as required by the Act. (Section 86) Use separate Form 3317.

vi. Notify the police weekly where registered as 'no fixed abode'

vii. Notify the Police if you have resided or stayed for at least 12 hours at a household or other private place where an under 18 year old resides or stays within 3 days.

viii. Notify police of passport, credit card and bank account details and certain information contained in a passport or other form of identification held by the relevant offender on each notification.

ix. Notify the police of any changes to financial and passport details within 3 days of any change.

x. All offenders must re-confirm their details every year. (Section 85)

xi. All offenders have to notify their National Insurance Numbers at their initial notification. (Section 83(5))

An offender can only give this notification by attending a police station prescribed for the purpose by regulations. (The regulations will be periodically updated when the addresses of police stations change).

Offenders should be asked when initially notifying the police whether there are any addresses, such as any described in (iv), which they regularly visit and told that they are required to notify them if they begin to visit other addresses.

Offenders should be reminded when initially notifying the police of their names and addresses that they are also required to notify any plans to leave the United Kingdom for any periods. (A separate form (Form 3317) is available for recording this information)

New name and address: For advance notification if the change takes place more than two days before the anticipated date, the police must be informed. If an advance notification is made and the change has not taken place within three days beginning with the anticipated date, the police must be informed within six days of the anticipated date.

A person failing to comply with the requirements of the SOA 2003, a summary of which is set out above, without reasonable excuse, or who provides the police with information which is known to be false could be sent to prison for up to five years.

Barking and Dagenham Dagenham Police Station 561 Rainham Road Sth Dagenham Essex RM10 7TU	Barnet (1) Barnet Police Station 26-32 High Street Barnet EN5 5RU	Barnet (2) Colindale Police Station Grahame Park Way Colindale NW9 5TW	Bexley Bexleyheath Police Station 2 Arnsberg Way Bexleyheath DA7 4QS
Brent (1) Kilburn Police Station 38 Salisbury Road Kilburn NW6 6NN	Brent (2) Wembley Police Station 603 Harrow Road Wembley HA0 2HH	Bromley Bromley Police Station High Street Bromley BR1 1ER	Camden (1) Kentish Town Police Station 12a Holmes Road London NW5 3AE
Camden (2) Holborn Police Station 10 Lambs Conduit Street London WC1N 3NR	City of Westminster (1) Charing Cross Police Station Agar Street London WC2N 4JP	City of Westminster (2) West End Central Police Station 27 Savile Row London W1X 2DU	City of Westminster (3) Paddington Police Station Paddington Green 2-4 Harrow Road London W2 1XJ
Croydon Croydon Police Station 71 Park Lane London CR9 1BP	Ealing (1) Southall Police Station 67 High Street Southall London UB1 3HG	Ealing (2) Acton Police Station 250 High Street London W3 9BH	Enfield Edmonton Police Station 462 Fore Street Edmonton London N9 0PW
Greenwich Plumstead Police Station 200 Plumstead High Street London SE18 1JY	Hackney (1) Stoke Newington Police Station 33 Stoke Newington High Street London N16 8DS	Hackney (2) Shoreditch Police Station 4-6 Shepherdess Walk London N1 7LF	Hammersmith and Fulham (1) Hammersmith Police Station 226 Shepherds Bush Road London W6 7NX
Haringey (1) Tottenham Police Station 398 High Road Tottenham N17 0HQ	Haringey (2) Hornsey Police Station 98 Tottenham Lane Hornsey London N8 7EJ	Harrow (1) South Harrow Police Station 74 Northolt Road London HA2 0DN	Havering Romford Police Station 19 Main Road Romford Essex RM1 3BJ
Hillingdon Uxbridge Police Station 1 Warwick Place Harefield Road Uxbridge UB8 1PG	Hounslow (1) Hounslow Police Station 5 Montague Road Hounslow Middlesex TW3 1LB	Hounslow (2) Chiswick Police Station 209-211 High Rd Chiswick W4 2DU	Islington (1) Islington Police Station Tolpuddle Street London N1 0YY
Kingston upon Thames Kingston Police Station 5-7 High Street Kingston upon Thames Surrey KT1 1LB	Kensington & Chelsea Notting Hill Police Station 101 Ladbroke Road London W11 3PL	Lambeth (1) Kennington Police Station 49 Kennington Road London SE1 7QA	Lambeth (2) Brixton Police Station 367 Brixton Road London SW9 7DD
Lambeth (3) Streatham Police Station 101 Streatham High Road London SW16 1HT	Lewisham (1) Lewisham Police Station 43 Lewisham High Street London SE13 5JZ	Lewisham (2) Catford Police Station 333 Bromley Road London SE6 2RJ	Merton Wimbledon Police Station 15 Queens Road London SW19 8NN
Newham (1) Forest Gate Police Station 350-360 Romford Road London E7 8BS	Newham (2) Plaistow Police Station 444 Barking Station London E13 8HJ	Redbridge Ilford Police Station 270-294 High Street Essex IG1 1GT	Richmond Twickenham Police Station 41 London Road Twickenham TW1 3SY
Southwark (1) Southwark Police Station 323 Borough High Street London SE1 1JL	Southwark (2) Walworth Police Station 12-28 Manor Place London E17 3RL	Sutton Sutton Police Station 6 Carshalton Road Sutton Surrey SM1 4RF	Tower Hamlets (1) Limehouse Police Station 29 West India Dock Road London E14 8EZ
Tower Hamlets (2) Bethnal Green Police Station 12 Victoria Park Square London E2 9NZ	Waltham Forest Chingford Police Station 1 King's Head Hill London E4 7EA	Wandsworth (1) Battersea Police Station 112-118 Battersea Bridge Road London SW11 3AF	

[[[EST_TEN_AGREE – Tenancy Agreement – Secure and Introductory

Directorate of Housing Services

Lambeth

SECURE AND INTRODUCTORY TENANCY AGREEMENT

Property Ref	642579	Address	33 Carfax Place, London, , SW4 7BQ
Tenancy Ref	204599		
Payment Ref	720681010		
Prop Type	Flat	Area Office	Clapham Area
Prop Sub Type	In Block	Bed size	1
Sheltered		Person size	2

FINANCIAL DETAILS

Rent	£ 87.23	Heating	£ 8.76	TV Aerial	£ 0.00
Water Charges	£ 0.00	Hot Water	£ 2.34	Other Charges	£ 1.94
Caretaking	£ 1.44	Lighting	£ 2.71	Window Cleaning	£ 0.00
Estate Cleaning	£ 7.10	Maintenance	£ 1.40	Disinfest &Disinfect	£ 0.74
Sheltered Housing:-		Mgt Service	£ 15.00	Supp/C24	£ 4.10
				TOTAL WEEKLY PAYABLE	£ 132.76

TENANCY START DATE 21st March 2022

TENANT DETAILS

Title	Forename	Surname	Gender	Ethnic Origin	Date of Birth
MR	OLIVER	BERNARD	Male	B	12 Oct 1965

AUTHORISED OCCUPANT DETAILS

Title	Forename	Surname	Gender	Ethnic Origin	Date of Birth	Relation

I/We agree that this tenancy agreement shall take effect subject to the Council's written Tenancy Conditions. I/We acknowledge that I/We have been given a copy of the Tenancy Conditions and a copy of the Tenant's Handbook.

Note: This tenancy agreement will make you an introductory tenant unless you are already a secure tenant. An introductory tenant will automatically become a secure tenant after twelve months unless the council starts possession proceedings to end the tenancy.

Signed _____ Date 15/3/22

Name O BERNARD (Print in Capital Letters)

The Council agrees that this tenancy agreement shall take effect subject to the Council's Tenancy Conditions.

Signed _____ Date 15/3/22

Name Sharnay Hamilton (Print in Capital Letters)

If you are not clear about any of the terms in this agreement (including any of the Tenancy Conditions) you can discuss them with:

Name Millicent Ampaw Telephone 020 7926 1496

Notice or Letters

If you want to serve a notice of any kind on us (including notices of legal proceedings), you must address it to:

The Executive Director of Housing
Lambeth Housing Services
Po Box 734

Winchester SO23 5DG

For Office Use Only

Previous Property Ref:
Previous Address:
Rehousing Category: NONTRANS

EST_TEN_AGREE

]]]

Directorate of Housing Services

Lambeth

SECURE AND INTRODUCTORY TENANCY AGREEMENT

Property Ref	642579	Address	33 Carfax Place, London, , SW4 7BQ
Tenancy Ref	204599		
Payment Ref	720681010		
Prop Type	Flat	Area Office	Clapham Area
Prop Sub Type	In Block	Bed size	1
Sheltered		Person size	2

FINANCIAL DETAILS

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Water Charges	£ 0.00	Hot Water	£ 2.34	Other Charges	£ 1.94
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				TOTAL WEEKLY PAYABLE	£ 132.76

TENANCY START DATE 21st March 2022

TENANT DETAILS

Title	Forename	Surname	Gender	Ethnic Origin	Date of Birth
MR	OLIVER	BERNARD	Male	B	12 Oct 1965

AUTHORISED OCCUPANT DETAILS

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Note: This tenancy agreement will make you an introductory tenant unless you are already a secure tenant. An introductory tenant will automatically become a secure tenant after twelve months unless the council starts possession proceedings to end the tenancy.

Signed _____ Date 15/3/22

Name O BERNARD (Print in Capital Letters)

The Council agrees that this tenancy agreement shall take effect subject to the Council's Tenancy Conditions.

Signed _____ Date 15/3/22

Name Sharnay Hamilton (Print in Capital Letters)

If you are not clear about any of the terms in this agreement (including any of the Tenancy Conditions) you can discuss them with:

Name Millicent Ampaw Telephone 020 7926 1496

Notice or Letters

If you want to serve a notice of any kind on us (including notices of legal proceedings), you must address it to:

The Executive Director of Housing
Lambeth Housing Services
Po Box 734

Winchester SO23 5DG

For Office Use Only

Previous Property Ref:
Previous Address:
Rehousing Category: NONTRANS

EST_TEN_AGREE

]]]

Lambeth

Lambeth Housing Services

Tenancy Agreement Handbook

The Lambeth Lettable Standard

Now that you have been offered a Lambeth property, we would like to make moving in as easy as possible.

This document provides a summary of the Lambeth Lettable Standard, which sets out the standard for the repair work that we will carry out in your property before you move in.

Any repair that you may request apart from those listed below are not covered by this Lettable Standard.

A copy of the full version of the Lambeth Lettable Standard is available on request.

Windows and doors

- Windows and doors will be sealed against wind and water penetration
- Glazing will be free from cracks and glazing putties, strips and beads will be in a sound condition
- All window and door elements, including the frames and boards, will be in a sound and useable condition with all necessary attachments in working order
- All front entrance doors will have had a lock change before you are given the keys
- All walls and ceilings will be in a suitable condition for redecoration
- Floor tiles will be present in the bathroom, toilet and kitchen and we will fit a minimum of two courses of wall tiles to form a splash back above sinks, wash hand basins and baths
- Floor screed (concrete flooring), floor boards and existing floor finishes will be retained and will be in safe and sound condition

Fixtures and Fittings

- All fixtures and fittings including cupboards, built-in wardrobes and kitchen units will be in good working order
- Central heating systems will be checked and in full working order
- Where no central heating is provided there will be at least one form of heating in the living room- with appropriate ventilation
- All electrical re-wiring will conform to the current NICEIC safety requirements

Decoration

- We do not decorate our empty properties; however, where the existing decoration is of a poor quality, we may offer a discretionary decoration allowance as a contribution towards the redecoration so that you can decorate your new home to your taste. You will be given details about this at your sign up meeting at your area office.
- In exceptional circumstances, we may consider decorating some or all of the rooms in your new home if any of the following apply:
  - You are elderly or disabled
  - Sheltered properties
  - Your property has been adapted for disabled use

Where the property has a separate bathroom and toilet, these will be treated as a single unit and payment will be for a single room only.

Lambeth

Cleaning

- Before you move in we will remove all rubbish, furniture and carpets left behind
- We will sweep out all rooms and wash all windows on the inside
- We will wash kitchen and bathroom cupboards, floors, wall tiles and sanitary fittings
- We will wash all woodwork, doors, radiators, boiler coverings, grills vents and electrical fittings

Gardens

- If your property has a garden, we will ensure that it is sufficiently cleared as to be accessible
- Gardens will be cleared of any rubbish and debris
- We will ensure that paths, patios or hard standings are in a safe condition
- We may not provide fencing and gates but we will remove broken or collapsed fencing

General

- We will always carry out all standard electrical and gas testing before you move in
- We will fit a smoke alarm on each level of the property

If you have any questions that you would like answering please contact us on 020 7926 6000 or visit your local area Housing Management office.

Signed: ..... Address: 33 Carfax House

Print name: Oliver Bernard

Date: 15/3/22

Witnessedby: Sharnay Hamilton

Lambeth

Gas and Electricity Supply
Information for Residents

Information on Gas

When a property becomes empty the contractor carries out a soundness test only. This means that the property will be checked to ensure that there is no gas leaking from anywhere. No appliances are tested i.e. the boiler, this is because most of the time there is no gas in the property and
Lambeth cannot create an account in their name.
We will ensure that there is pipe work available so that a meter can be connected but we do not under any circumstances carry out any work to the meter.
Gas Certificates are valid for 12 months.

Please note
- Some properties do not have gas running to them. Please check your gas certificate for this information this will also tell you if you have communal heating or an individual boiler
- Where there is no gas supply to the property we are not required to provide one
- It is your responsibility to contact the supplies and get your utilities connected

You should keep this certificate until it is replaced when an annual service is carried out. Our Gas Servicing Team will notify you of an appointment.
Please check that you were given gas and electrical certificates at your sign up.
(Not necessary for Sheltered Schemes)

Information on Electricity

When a property becomes empty the contractors will carry out a test to ensure that the property is safe. The electrician will then provide us with a report with any necessary works that need to be carried out once the works are completed they will issue us with another certificate that says that the electrics are safe.
A copy will be given to you at your sign up. We will ensure that there is wiring available so that a meter can be connected but we do not under any circumstances carry out any work to the meter.

Electrical Certificates are valid for 6 months.

Please note
- We do not carry out improvements to the property. For example: We do not install or relocate extra sockets/lights

Is there a gas/electricity meter in the property?

Yes
- Contact any supplier and give the meter reading numbers and fax the certificates if necessary

No
- Contact National Grid for the meter point reference number
- Provide the new supplier with the meter number. They may ask you to fax the electric/gas certificate to them as well as your tenancy agreement so that they can prove you are a new tenant
- Once a meter is installed you can choose your supplier

Lambeth

Meters

Some suppliers can be difficult and ask for different types of information. For example some suppliers ask for a certificate that has been done within the last three months or a full installation certificate. If you are asked for information that you don't have, please try another supplier.
The electrical certificates are valid for six months and the gas for twelve months. We cannot change the requirements of any suppliers as they have their own rules and regulations to adhere to.

Please note
• Do not put any money on any existing keys or cards that are left in the meters inside the property. You will be charged for any debt owed by the previous tenant

Gas Test

Once you have been signed up for the property and the Voids Officer receives your paperwork, they will send an e-mail with your details to our Gas Servicing Team.
Our gas servicing contractor will contact you, either by telephone or letter, to arrange a "Turn on and Test" appointment. This test will pick up any faulty appliances in the property, for example, boiler or gas fire. A check will be carried out to the boiler and you will be shown how to use it
If you do not have a boiler in your property then you have communal heating and any defects or faults should be reported via the Housing Management services centre on 020 7926 6000.

Please note
• A 'Turn On and Test' cannot be completed if you do not have your gas or electricity supply connected
• If our Gas Servicing Team discovers a fault with the boiler when they carry out the turn on and test, then they will arrange an appointment with you to get this rectified as soon as possible

Please sign below to say that you have read and understood this information and will act on this information where necessary

Tenant's (full name): Mr O G Bernard

Signature: .....

Date: 15/3/22

Witnessed by (full name): Sharnay Hamilton

Signature: .....

Date: 15/3/22

Lambeth

1. Introductory Tenancy

An introductory tenancy is a one-year trial council tenancy.

It gives you most of the same rights as a secure council tenancy but you can be evicted much more easily. As long as you do not break your tenancy agreement while you are an introductory tenant, you will automatically become a secure tenant.

Introductory tenants can be evicted much more easily than secure tenants.

The council does not have to prove a legal reason in court but they have to follow the correct procedure. The most common reasons they might try and evict you include:

I. **If you have caused nuisance to neighbor's**
II. **If you have not paid the rent, or you have paid it late on a regular basis**
III. **If you move out of your home and rent it to someone else**

The council has to give you at least **four weeks** written notice that they are going to ask the court to evict you and explain the reasons why. The notice must tell you that you have a right to request a review of the decision.

Get independent legal advice immediately if you receive this notice. **(Details of these can be found in the "Useful numbers and websites leaflet" in this Welcome Pack).**

You must ask the council to review their decision within 14 days of receiving the notice – if you do nothing there is a serious risk that you will lose your home.

It is advisable to seek independent advise, so that legal arguments can be made on your behalf to help convince the council that you should not be evicted and can check whether these is anything you can do to put things right, such as claiming benefits or settling a neighbor dispute.

If the case goes to court, the judge will have no choice but to evict you as long as the council has followed the correct procedure.

Declaration

I hereby accept the complete set of keys, as listed, to the above property on the above date.

Signature of Tenant(s) _____

Signature of Officer: _____

Date: 15/3/22

Lambeth

3.0 Tenancy Agreement do's and don'ts

CHECKLIST OF DOS AND DON'TS

This is not a complete list of what you should and should not do. However, you must sign to commit yourself to this checklist. It forms part of your conditions of tenancy. If you do not sign it we will withdraw your offer of accommodation.

I agree to do the following:

TO PAY all my rent on time in advance.

NOT to harass, or let my family or friends harass anyone.

NOT to commit or permit any criminal act at or near the Property.

NOT to damage the Property and to return it to the Council in a good state when I leave.

Where I have a garden, TO KEEP it tidy.

TO DISPOSE of my rubbish in the appropriate bins provided.

TO BE RESPONSIBLE for the good behaviour of my family, friends and visitors in my home, on the estate and local areas.

TO ENSURE that any pets the Council has given me permission to have are kept in order and do not make a mess, bark or any other way cause a nuisance, or damage my home or other homes in the vicinity or any part of the estate I live on.

TO ABIDE BY the parking scheme on my estate and ensure that any vehicle used by me or my household is taxed and insured, unless I produce a valid DVLA acknowledgement of a Statutory Off Road Notice (SORN), for the period which will not exceed 6 months.

I understand and agree to the conditions listed above and that if I break this agreement the Council has the right to take action to evict me from my home.

Signed:

Print name: BELARD

Address: 33 Carfax Place SW4 7BQ

Date: 15/3/22

Witnessed by: Sharney Hamilton

Lambeth

2.0 Universal Credit Questionnaire

1. Do you require Universal credit? Yes/No

If yes proceed to Q2

If no proceed to the Tenant's Declaration

2. Have you completed a claim for Universal Credit? Yes/No

If yes please write in your UC Ref here..... and proceed to the Tenant's Declaration

If no please proceed to Q3.

resident to do UC Change of Circumstance on Journal 21st March

3. Have you recently submitted a Universal Credit application? Yes/No

If yes when ...../.../.....
And proceed to Tenant's Declaration

If no please proceed to Q4.

4. Do you require assistance completing the application for UC? Yes/No

If Yes please proceed to the end of the questionnaire

If No, please confirm with the Void Officer when you will complete the application ...../.../.....

Please be aware that you the tenant are responsible to monitor your Universal Credit application, however if you require additional assistance with Universal Credit, please contact your Welfare Solutions Officer .....
On 0207 926 XXXX

Tenant's Declaration

Your signature records that you have been given this information and answers you have provided are true and accurate.

Signature of Tenant(s) _____

Signature of Officer: _____

Lambeth

4.0 Dealing with condensation

Condensation is caused by a build up of moisture in the air:

- There is always some moisture in the air
- Moisture is produced by cooking, taking baths, using paraffin or bottled gas, heaters, drying clothes indoors, to name some examples
- If this moisture has nowhere to escape it will build up indoors.

I have attached a leaflet produced by the department of Environment. Can you ensure that you read this and sign the declaration below.

Declaration

I hereby declare that I have read and understood the attached leaflet and will take the steps to ensure that condensation does not build up in my property.

Signature of Tenant(s) _____

Signature of Officer: _____

Please find the link for Lambeth Housing Management Handbook following your sign up.

Tenants Handbook

The newly updated tenant's handbook has been designed as a loose leaf folder which aims to help you settle into your new home - by letting you know what services we offer and how you can access them. It explains your rights and responsibilities as a tenant of Lambeth Council.

As well as information about your tenancy, the welcome folder contains a lot of other useful information:

https://housingmanagement.lambeth.gov.uk/tenants-handbook-

Repairs to your home

We are committed to making sure your home is in a good state of repair and we aim to carry out regular maintenance to make sure the structure of the outside of your home is secure and weatherproof.

Repairs time scales

The target time for the repair depends on the risk and urgency of the repair.

Your repair responsibility as a resident you have repair responsibilities to keep your home in a good condition.

- **Tenants repair responsibilities - looking after your home**
- **Homeowner repair responsibility - looking after your home**

Our repair responsibility

We are responsible for maintaining the structure of your home. Find out what this includes.

Report a repair you can report a repair (non emergency) online or call us on 020 7926 6000, Monday to Friday, (am to 5pm; or call 020 7926 6666, Monday to Friday, 5pm to 9am, weekends and bank holidays.

You can also find the repairs manual on the link below. You can refer to this after the voids defective period expires.

https://housingmanagement.lambeth.gov.uk/repairs

Lambeth

1.2 Tenancy Sign up Checklist

Photograph of tenant(s)	

1. Tenancy details

Tenancy Type:

- Introductory Tenancy *Please ensure that Intro. Tenancy statement signed* ☑
- Secure Tenancy ☐
- License ☐

Name(s) of new tenant: Oliver Bernard

New address 33 carfax place London SW4 7BQ

Telephone No: Mobile No: X07908404282

Email Address: (check and update) X oliverbernard521@gmail.com

Previous Address: 27 The Drive Thornton Heath Croydon CR7 8LB

Proposed New Tenancy Start Date: 21/3/22

Previous Tenancy? Has relinquishment been confirmed? Yes ☐ No ☑

Note: If the new tenant is moving from another Lambeth property, confirm that a relinquishment notice has been sent. If a relinquishment has not been completed, the Housing Officer must ensure that the relinquishment is completed at this stage and faxed to the appropriate Area Office

Lambeth

resident rejected

CORE Questions

Note to interviewer

The tenant should be informed as to why we are collecting this data and also how the data will be used.

Any data that is received will be treated confidentially and that the information is passed on anonymously (no names of address) and asked to give their permission. If the tenant refuses to participate, or does not answer all of the questions in this section please tick the interview refused box above the question.

Please refer to your guidance notes for additional information.

Question 1

Household Characteristics (Use Appendix 1 at the back of this document to help complete this table).

Note You need to complete all sections for each household member (except Nationality). Please entered Refused if household characteristic answer is refused.

	1.Relationship to main applicant	2.Economic Status	Economic status entered onto Northgate? Tick each box once entered.	3.Nationality for main applicant ONLY.	4.Ethnic Origin Code	Ethnic origin code checked or entered onto Northgate? Tick each box once checked / entered.
Person 1 (MAIN APPLICANT)	Not Applicable					
Person 2				N/A		
Person 3				N/A		
Person 4				N/A		
Person 5				N/A		
Person 6				N/A		
Person 7				N/A		
Person 8				N/A		
Person 9				N/A		

IF YOU WANT TO KNOW MORE...

CORE Data is collected on behalf of the Ministry of Housing, Communities and Local Government (MHCLG) for research and statistical purposes only. Data providers do not require the consent of tenants to provide the information but tenants have the right to know how and for what purpose your data is being collected, held and use. The processing must have a lawful basis which, in this case, is that the processing is necessary for the performance of a task carried out in the public interest to meet a function of the Crown, a Minister of the Crown or a government department.

You have the right to object and you have the right to obtain confirmation that your data is being processed, and to access your personal data. You also have the right to have any incorrect personal data corrected.

The information collected via CORE relates to your tenancy, the dwelling you are living in or buying, and your household. Some of the information may have been provided by you as a tenant when signing the new tenancy or buying your property; other has been gathered from the housing management systems of social housing providers. Data collected will be held for as long as necessary for research and statistical purposes. When no longer needed, data will be destroyed in a safe manner.

We are aware that some of the data collected is particularly sensitive: ethnic group; previous tenure in hospital or prison/approved probation hostel support; if household left last settled home because discharged from prison/ long stay hospital/ other institution; or if source of referral is probation/ prison, youth offending team, community mental health team or health service. Please rest assured that all the information collected via CORE is treated in accordance with Data Protection requirements and guidelines.

Data is published by MHCLG in aggregate form on an annual basis as part of a report and complementary tables. To access the annual publications on lettings please visit https://www.gov.uk/government/collections/rents-lettings-and-tenancies; To see the publications on sales please visit https://www.gov.uk/government/collections/social-housing-sales-including-right-to-buy-and-transfers

CORE data is shared with other public sector bodies for research and statistical purposes only. For example, data is shared with Homes and Communities Agency and the Greater London Authority to allow them to exercise their role in providing adequate social housing. The detail level data is anonymised and protected to minimise the risk of identification and deposited with the UK Data Archive for research purposes.

If you are unhappy with how any aspect of this privacy notice, or how your personal information is being processed, please contact Department Data Protection Officer at: dataprotection@communities.gsi.gov.uk and if you are still not happy, you have the right to lodge a complaint with the Information Commissioner's Office (ICO): https://ico.org.uk/concerns/

☐ I consent to sharing CORE data. Signature(s) of Tenant(s)_____

☑ I do not consent to sharing CORE data. Signature(s) of Tenant(s)_____

Date 15/3/22

Annex 1 – Privacy Notice for tenants/buyers of new social housing tenancies/sales

Ministry of Housing, Communities & Local Government

COntinous REcording of Social Housing lettings and Sales (CORE)

Information for tenants of new social housing lettings or sales

HOW ARE WE USING YOUR INFORMATION?

If your household has entered a new social housing tenancy, social housing providers will share your personal information with the Ministry of Housing, Communities & Local Government for research and statistical purposes.

HOW IS THIS INFORMATION PROVIDED?

The information is provided via CORE (COntinuous REcording), a website funded and managed by MHCLG. It collects information on the tenants/buyers, tenancy/sale and dwelling itself. Some of this information is personal and sensitive so MHCLG is responsible for ensuring that all data is processed in line with Data Protection legislation.

WHY ARE WE SHARING THIS INFORMATION?

Information collected via CORE is shared with other Government Departments and Agencies. Data is shared with the Greater London Authority and the Homes and Communities Agency. CORE data providers can also access data for their organisations via the CORE system. Data is only shared for research and statistical purposes.

HOW DOES THIS AFFECT YOU?

It will not affect your benefits, services or treatments that you get. The information shared is anonymous and handled with care in accordance with the law. We are collecting and sharing your information to help us understand better the social housing market and inform social housing policy.

Lambeth

Question 2

Has anybody in the household ever served in the British Armed Forces? (excluding National Service)

Yes ☐ No ☐

Refused ☐

Question 3

Does the household contain a pregnant woman?

Yes ☐ No ☐

Question 3b

Has anyone in the household been seriously injured/disabled as a direct result of their time and activities serving as a reservist?

Yes ☐ No ☐

Question 4

Is the tenant in receipt of or likely to be in receipt of the following?

Not in receipt of UC or HB	1 ☐
Housing Benefit (not in receipt of Universal Credit)	2 ☐
UC – with Housing Element (and not in receipt of HB)	3 ☐
UC – without Housing Element (not in receipt of HB and tenants not eligible for housing support)	4 ☐
UC – without Housing Element (and in receipt of HB)	5 ☐
Don't know	6 ☐

Question 5

Will the tenant qualify for universal credit, state pensions or benefits (excluding child benefit, council tax support or tax credits)?

All	1 ☐
Some	2 ☐
None	3 ☐
Don't know	4 ☐

Lambeth

Question 6

What is the tenant's or tenant and partner's **net weekly** income after tax?

For those receiving Universal Credit, please enter **net weekly** income from employment, pensions and Universal Credit. Please exclude child benefit and council tax support.

For those **not** receiving Universal Credit, please enter **net weekly** income from employment, pensions and Universal Credit. Please exclude housing benefit, child benefit and council tax support.

Round to the nearest pound

£ | | | | |

Lambeth

Question 7 In the **tenant's** view what was the main reason they left their last settled home?

Notes for the interviewer

This question is intended to find out why households need rehousing. It should be completed according to the tenant's perspective. 'Last settled home' means that, for new tenants who have spent a period in temporary accommodation (e.g. 'statutorily homeless' households), the question relates to the last settled accommodation before this. If a homeless household was in temporary accommodation immediately before being housed by your organisation, why did there last settled home finish.

Permanently decanted from another property owned by this landlord	Property unsuitable because of overcrowding
Left home country as refugee	Property unsuitable because of ill health/disability
Discharged from prison or from long stay hospital or other institution	Property unsuitable because of poor condition
End of Assured shorthold tenancy or Fixed Term tenancy – on a 'no fault' basis	End of Assured shorthold tenancy or Fixed Term tenancy – eviction; tenant at fault
Repossesion	Couldn't afford fees attached to renewing the tenancy
Couldn't afford the increase in rent	Couldn't afford rent or mortgage – welfare reforms
Couldn't afford rent or mortgage – employment	Couldn't afford rent or mortgage – other
Loss of tied accommodation	To move nearer to family / friends / school
Domestic violence	To move nearer to work
To move to accommodation with support	Domestic Abuse
(Non-violent) relationship breakdown with partner	To move to independent accommodation
Asked to leave by family or friends	Don't know
Racial harassment	Other problems with neighbours
Under Occupation – offered incentive to downsize	Under Occupation – no incentive
Hate Crime	Other

Question 8 (amended)

Was the reason for leaving a direct result of the 'under occupation measure' or benefit cap introduced from 2013?

Yes: Removal of the spare room subsidy	4 ☐
Yes: Benefit Cap	5 ☐
Yes: Both	6 ☐
No	2 ☐
Don't know	3 ☐

Lambeth

Question 9 Immediately prior to this letting, what was the previous household accommodation

Notes for interviewer - Tick the box that describes the household's previous accommodation immediately prior to rehousing. For households that have previously been living in temporary accommodation, the type of accommodation should be specified (e.g. bed and breakfast, direct access hostel, hospital, rough sleeping, women's refuge). However, note that the option 'Any other temporary accommodation' should be ticked where the temporary accommodation was in an RP general needs tenancy i.e. it was not permanent

Local authority general needs tenancy ☐	Hospital ☐
Private Registered Provider (HA) general needs tenancy ☐	Prison / approved probation hostel ☐
Owner occupation (private) ☐	Direct access hostel – emergency accommodation only. ☐
Owner occupation (low cost home ownership) ☐	Bed and breakfast ☐
Private sector tenancy ☐	Tied housing or rented with job ☐
Supported housing ☐	Mobile home / caravan ☐
Housing for older people (sheltered accommodation)	Any other temporary accommodation ☐
Residential care home ☐	Living with family or friends ☐
Home Office Asylum Support ☐	Rough sleeping ☐
Women's refuge ☐	Other ☐

Question 10 Does **anyone** in the household have specific housing needs in relation to the following?

interviewer - Tick the box most relevant to the household. This question is just for information purposes for CORE and is not a new application for housing

Fully wheelchair accessible housing ☐

Wheelchair access to essential rooms ☐

Level access housing ☐

Other disability requirements ☐

No disability requirements ☐

Don't know ☐

Lambeth

Question 11 If the tenant receives Housing Benefit, do they pay any shortfall in rent?

Yes	**1** ☐
No	**2** ☐
Don't know	**3** ☐
Expected shortfall in rent	£ ☐☐☐☐

Question 12 Which borough was your last address in? ☐

Question 13 How long has the household lived in this local authority district (for the property being let) priort to the letting?

Just moved to local authority	1 ☐
Less than 1 year	2 ☐
1 year but under 2 years	3 ☐
2 years but under 3 years	4 ☐
3 years but under 4 years	
4 years but under 5 years	
5 years or more	5 ☐
Don't know	6 ☐

Question 14a Was the household given Reasonable Preference (i.e. priority) for housing by the Local Authority?
Yes 1

No 2

Don't know 3

Question 14b If yes, which of the following reasons for Reasonable Preference apply?
Homeless or about to lose their home (within 28 days)

Living in insanitary, overcrowded or unsatisfactory housing

A need to move on medical and welfare grounds (including a disability)

A need to move to avoid hardship to themselves or others

Don't Know

End of CORE questions

Lambeth

2. Identification

Identification Provided? Yes ☑ No ☐

Note: Acceptable Identification are Full Birth Certificate/passport of everyone on the tenancy,(Birth Certificate for those under 18) National insurance card, Driver licence, Proof of address any official document which are date post marked which shows the address eg bank statement, letters from DWP and Inland Revenue. Take copies and scan onto Anite with this form

Identification type	**Reference number e.g. drivers licence or passport number and account numbers e.g. current**
Proof of identification, please list	Passport
Proof of address, please list	letter

3. Emergency contact details

Name of next of kin: Mrs P. Martin

Address: 338 Northview Drive Swanley Kent BR7 7JS

Home Phone No: Mobile No: 07961301794

Relationship: Sister Email address:

These details will be used in the event of an emergency

4. Employment Details

National Insurance No: NM271857D

Is the Tenant Employed Yes ☐ No ☑

Name of Employer:

Address of Employer:

Employers Phone No:

Is the tenant self-employed? No ☑ Yes ☐ Nature of Business:

Is the tenant a student? Yes full time ☐ Yes Part-Time ☐ No ☑

Is the tenant Retired? Yes ☐ No ☑

5. Income Details Core

	Amount	Per Week/Per Month
Salary		Week/ Month
Student Grant		Week/ Month
Pension		Week/ Month
Jobseekers/ Low Income Allowance		Week/ Month
Working/Child Tax Credit		Week/ Month
Child Benefit		Week/ Month
Other Benefit (i.e. disability, carers, cold etc)		Week/ Month

6. Rent details

Total Weekly Charge (Including heating, water rates and any other charge) £

(Refer to the Lambeth Tenancy Agreement for a detailed breakdown of the rent and other charges)

Estimated Payable Charge £

Tenants on full housing benefit, pay the water rates and certain charges. All other tenants to pay the full rate, until notified by Housing Benefit

Frequency of rent Payment WEEKLY

7. Housing Benefit Details

Is the tenant claiming Housing Benefit? Yes ☐ No ☐

if	
Yes	Goto next question
No	Tenant must sign a HB waiver form

Is the tenant claiming Housing Benefit within Lambeth? Yes ☐ No ☐

if	
Yes	Tenant must complete a change of address form, and provide proof of income
No	Officer to complete Housing Benefit Claim on line

Housing Benefit online claim number

Lambeth

8. Rent Payment

Proof of first rent payment provided? Yes ☑ No ☐

Payment reference number 720681010

Payment amount £132.76

Note: tenant can only be signed up to the tenancy once proof of rent payment has been provided

9. Work to be carried out in occupation

In some cases we will arrange for some non-urgent repairs works to be carried out within a month after the new tenant has moved in.

Have we arranged for any work to be completed after the tenant has taken up occupation?	Yes ☐	No ☑
Attached list of work to be done?	Yes ☐	No ☑
Security screens removed?	Yes ☐	No ☐
Alarm removed?	Yes ☐	No ☑
Date and reference number		

Any other information given please list: _____

10. Disability and Vulnerability

Vulnerability? Yes ☐ No ☐

Note: A vulnerable adult is a person who may be unable to take care of themselves, or protect themselves from harm or from being exploited. Vulnerable applies.

Vulnerability code(s) Select Code Select Code
Select Code Select Code

Other: _____

11. Communicating with you

If we visit your home, which of the following applies: (more than one can apply)	
☐ Knock loudly	☑ Please give me time to answer
☐ My carer must be with me	☐ Provide cover for shoes
☐ Other :	

Is English your first language? Yes ☑ No ☐

First Language _____

12. Owning a pet

Do you own a pet?		
☐ Yes	☑ No	**Note**: Tenant must complete the details of their pet on the pet register

13. About you

What is your gender?	
☑ Male	☐ Female
☐ Transgender	

What is your religion or belief?	
☐ Atheist	☐ Buddhist
☐ Christian	☐ Hindu
☐ Humanist	☐ Jewish
☐ Muslim	☐ Rastafarian
☐ Sikh	☐ No Religion
☐ Other:	☑ Prefer not to say

What is your sexual orientation?	
☑ Hetrosexual or Straight	☐ Gay man
☐ Bisexual	☐ Lesbian or Gay woman
☐ Unsure	☐ Prefer not to say
☐ Other:	

Information Checklist
The following should be given to the new tenant with a brief explanation:

Tenancy Agreement

1. (Provide an explanation of the difference in the conditions of tenancy between tenancy types – Secure, Introductory & License) ☑
2. (Tenant to sign two copies, keep one for the house file)

Conditions of Tenancy ☑
(Tenant to sign two copies, keep one for the house file)

Tenants' Handbook/Repairs Manual ☑

Welcome Pack ☑

2018 Data Sharing Agreement Annex 1 Privacy Notice ☑

Lambeth

Data Protection Statement

The information recorded on this form will be used by Lambeth Regeneration and Housing in order to manage your tenancy. This information will also be used for monitoring purposes to help to ensure equality of access to services for all Lambeth Housing Services customers. To enable the Council to provide a more joined-up service, your name, contact details and any service requirements that you have provided in this form may also be used to update the Council's central customer records. Your information will not be given to third parties without your prior consent.

Your signature records that you have been given this information and your Housing officer has explained the details of your new tenancy.

Signature of Tenant(s)

Signature of Officer:

Date: 15/3/22

5.0 New tenant key receipt

List of keys given	(please tick all that apply)	Numbers of sets of keys given	
FED		Yale	Mortice
Backdoor/balcony door			
Window keys			
FOBs			
Communal keys			

Declaration keys to be given by Sheltered Scheme Manager

I hereby accept the complete set of keys, as listed, to the above property on the above date.

Signature of Tenant(s) _____

Signature of Officer: _____

Lambeth

Appendix 1 Question 1 code tables

Use these code tables when completing the question 1 table in the CORE questions.

1.Relationships

AUNT, BROTHER, CARER, CIVPARTNER (Civil Partner), DAUGHTER, EXPECTED (baby)
FATHER, FOSTERDAUGHTER, FOSTERSON, HALFBRO (Half Brother), HALFSIS (Half Sister)
LODGER, MAIN (Head of Household), MOTHER, NEPHEW, NIECE, NONRELATED person
PARTNER, SISINLAW (Sister in Law), SISTER, SON, STEPDAUGHTER, STEPFATHER
STEPMOTHER, STEPSIS (Step Sister), STEPSON, UNCLE, WIFE

2.Economic status		**3.Nationality**	
1. Full time - working 30 hours or more per week	5. Retired	1 UK national resident in UK	11 Other EU Economic Area (EEA*) country
2. Part time - working fewer than 30 hours per week	6. Not seeking work	2 UK national returning from residence overseas	12 Any other country
3. Government training/New Deal	7. Full-time student	3 Czech Republic	13 Refused
4. Job seeker	8. Unable to work	4 Estonia	14Bulgaria
	9. Child under 16 & Expected child	5 Hungary	15 Romania
	0. Other adult	6 Latvia	16 Croatia
		7 Lithuania	17 Ireland
		8 Poland	* Other EEA countries are Austria, Belgium, Cyprus, Denmark, Finland, France, Germany, Greece, Italy, Luxembourg, Malta, Netherlands, Portugal, Spain, Sweden, Iceland, Liechtenstein, Norway and Switzerland
		9 Slovakia	
		10 Slovenia	

Enter the codes shown below for each household member in brackets.

Asian or Asian British	**Black or Black British**
Asian or Asian British Indian (AIR)	Black or black British Caribbean (BCR)
Asian or Asian British Bangladeshi (ABR)	Black or black British African (BAR)
Asian or Asian British Pakistani (APR)	Any other black background: (BOR)
Chinese (OCR)	**Mixed**
Vietnamese (OVR)	Mixed white and black Caribbean (MWC)
Any other Asian background: (AOR)	Mixed white and black African (MWA)
Other	Mixed white and Asian (MWS)
Any other ethnic background: (OOR)	Any other mixed background: (MWO)
Prefer not to say (REF)	
White	
White British (WBR)	
White Portuguese (WPR)	
Any other white background (WOR)	

Lambeth

New Tenant Assessment

1. Existing tenant or new applicant

☐ Existing Tenant ☑ New Applicant

2. Date of assessment

15/3/22

3. Full Name

Oliver Bernard

4. Home Telephone Number

5. Date of Birth

12 Oct 1965

6. Mobile Telephone Number

07908 404232

7. Address

33 Carfax place
London
SW4 7BQ

8. E-mail Address

Oliverbernard521@gmail.com

10. If no, please enter a corresp address

People who are to live with you

11. Name

Date of Birth & Relationship to Tenant

Communication

12. Please tick all that apply

- ☐ Help needed with Maths
- ☐ Difficulty reading and writing
- ☐ Visually impaired
- ☐ Learning difficulties
- ☐ Hearing impaired
- ☐ English not first language

Independent Living Skills

13. Please indicate how we can advise you by ticking all that apply

- ☐ Issues with alcohol/substance misuse
- ☑ Claiming benefits
- ☐ Budgeting/Managing money/Debts/Paying bills
- ☐ Getting into education/Work/Training
- ☐ Registering with a doctor/Dentist/Counsellor
- ☐ Follow up support following a criminal conviction
- ☐ Grants for furnishing your home
- ☐ Accessing Careline
- ☐ Meeting people
- ☐ completing forms/reading letters
- ☐ Accessing other services
- ☐ Looking after yourself
- ☐ Looking after your property
- ☐ Aids and adaptations
- ☐ Pregnant woman
- ☐ Recently bereaved

If other, please state below

14. Please tick all that apply

	Yes	No
Tenant under 18	☐	☑
Tenant over 18 but under 25	☑	☐
Pensionable age	☐	☑
Leaving care	☐	☑

14. Continued. Please tick all that apply

	Yes	No
Homeless	☐	☑
First tenancy	☑	☐
Ex-offender	☑	☐
Fleeing domestic violence/harassment	☐	☑

Any other course for concern noted by assessor?

15. If the tenant is under 18, do they have a Guarantor ☐ Yes ☑ No

16. Name and contact number of Guarantor

Employment

17. National Insurance Number NH 27 18 57 D

20. Employed ☐ Full Time ☐ Part Time

21. Unemployed, if so how long for?

☐ Under 6 months ☐ 13-24 months

☐ 6-12 months ☑ More than 24 months

22. Are you receiving Housing Benefit? ☑ Yes ☐ No

23. Any other income details (advice on entitlements may assist you e.g. tax credits)

Health

Definition of the DDA

To be protected by the Disability Discrimination Act (DDA) a person must show that he or she is disabled as defined by the Act. The DDA says that a disability is a physical or mental impairment which has a substantial (meaning neither minor nor trivial) and long term adverse effect on his or her ability to carry out normal day-to-day activities.

The disability must have lasted for at least 12 months or be likely to last for at least 12 months

24. Tick all that apply to you or somebody within your household

	Yes	No
In receipt of a state retirement pension	☐	☑
Disabled person (as classified under the DDA)	☐	☑

24. Continued. Tick all that apply to you or somebody within your household

	Yes	No
Misusing drugs	☐	☑
Misusing alcohol	☐	☑
Neurological impairment (e.g. epilepsy)	☐	☐ ?
Sensory impairment (e.g. visual/hearing impairment)	☐	☑
Physical impairment	☐	☐ ?
Mental health impairment	☑	☐

Please give details

25. History of mental health issues? Yes ☑ No ☐

Please give details

26. Do you use mobility aids? Yes ☐ No ☑

Please give details

27. Disability benefits claimed? Yes ☑ No ☐

Please give details

Dependants

28. Please tick all that apply

- Child with disability or learning difficulties ☐
- Lone parent ☐
- Tenant cares for other adults in the household ☐
- Outside care/support/help currently provided ☐

Please give details

29. Previously homeless

Yes	No
☐	☑

Please give details

30. Previously evicted/lost home?

Yes	No
☐	☑

Please give details

31. Support from anyone e.g. family and friends?

Yes	No
☐	☑

Please give details

32. Involvement with Support Services

Yes	No
☑	☐

Please give details

CCN

33. Equality and diversity issues to be taken into account (Cultural/Religious/Sexual Orientation)

Yes	No
☐	☑

Please give details

34. Any other needs or concerns

Yes	No
☐	☑

Please give details

Client Signature

I understand and agree with the information about me that is written on this form.

We will keep your personal information confidential. Information will be held and used only as allowed by the law.

I give my consent for Lambeth Living to release any information relevant to my application to other agencies who are able to provide me with advice and support.

Signature

Date 18/8/22

This information will remain confidential. However, some of this information may be passed to other contractor who provide a service to you and acting on behalf of Lambeth Living. If you do not wish for the information supplied by you to be passed to these contractors please tick this box ☐

For Officer Use Only

1. Name of Lambeth Officer

2. Contact Details

3. Signed

4. Dated

Potential barriers to accessing CBL (for new applicants only)

5. Access to bidding

Chaotic lifestyle	☐	Sensory impairment	☐
Literacy	☐	Language	☐
Mental health	☐	Learning difficulty	☐

6. Decision Making

Life skills	☐	Learning disability	☐
Chaotic lifestyles	☐	Mental health issues	☐

7. Risk indicator to trigger referral

Tenancy threatened	☐	Mental health issues	☐
Domestic abuse	☐	Tenant is a carer for others in household	☐
Victim or perpetrator of ASB	☐	Substance misuse (inc Alcohol)	☐
New tenant (16-25)	☐	Reports from third party	☐
Older person	☐	Disabilities	☐
Other	☐		

8. Officer action taken?

9. HIGH PRIORITY REFERRAL

Yes	No
☐	☐

Please give details

Payments

Print this statement

O BERNARD

27 The Drive
THORNTON HEATH
CR7 8LB

Assessment period: 11 January to 10 February 2022
Need help understanding your assessment period?

Your payment this month is

£623

This will be paid by 8pm on 17 February 2022

What you're entitled to

Standard allowance You get a standard amount each month. You said you're single	£324.84
Limited capability for work and work-related activity You said your health affects you at work or prevents you from working	£343.63
Total entitlement before deductions	**£668.47**

What we take off (deductions)

Advance Payments Need help understanding advance repayments? We take £29.00 off your payment to pay back your advances. Check what advances you've had and what you owe.	- £29.00
Other money you owe Need help understanding other money you owe? Fines	- £16.24
Check your journal for information about these deductions.	
Total deductions	**- £45.24**
Your total payment for this month is	**£623.23**

If your circumstances change

You must immediately report changes in your circumstances that could affect your Universal Credit payments.

Help and support

The 'Managing your claim guide' gives more information about Universal Credit payments.

If you think we've made a mistake or want to appeal

Malwarebytes | Teams Trial
Scan complete
One or more potential threats were detected. View the scan results and take action now.
View Scan Results

BETA This is a new service - your feedback will help us to improve it.

Payments

Print this statement

O BERNARD
27 The Drive
THORNTON HEATH
CR7 8LB

Assessment period: 11 December to 10 January 2022
Need help understanding your assessment period?

Your payment this month is

£623

This will be paid by 8pm on 17 January 2022

What you're entitled to

Standard allowance You get a standard amount each month. You said you're single	£324.84
Limited capability for work and work-related activity You said your health affects you at work or prevents you from working	£343.63
Total entitlement before deductions	**£668.47**

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One or more potential threats were detected. View the scan results and take action now.
View Scan Results

Payments

Print this statement

O BERNARD
27 The Drive
THORNTON HEATH
CR7 8LB

Assessment period: 11 February to 10 March 2022
Need help understanding your assessment period?

Your payment this month is

£623

This will be paid by 8pm on 17 March 2022

What you're entitled to

Standard allowance You get a standard amount each month. You said you're single	£324.84
Limited capability for work and work-related activity You said your health affects you at work or prevents you from working	£343.63
Total entitlement before deductions	**£668.47**

What we take off (deductions)

Advance Payments Need help understanding advance repayments? We take £29.00 off your payment to pay back your advances. Check what advances you've had and what you owe.	- £29.00
Other money you owe Need help understanding other money you owe? Fines	- £16.24
Check your journal for information about these deductions.	
Total deductions	**- £45.24**
Your total payment for this month is	**£623.23**

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If you think we've made a mistake or want to appeal

Malwarebytes | Teams Trial
Scan complete
One or more potential threats were detected. View the scan results and take action now.
View Scan Results

RESTRICTED when complete

METROPOLITAN POLICE

TOTAL POLICING

Form 3317

Record of Foreign Travel Notification by a Registered Sex Offender for Police Records

This form comprises three sections.

The information requested in the first section MUST be provided by the offender in all cases where such information is available. Foreign travel notifications must be made 7 days before the anticipated date of departure where the information is held by the offender. Where the information is not known 7 days before departure, the offender must give the foreign travel notification at least 12 hours before departure. The information which must be notified includes the departure date, the destination country (or first country if there is more than one) and such other information (where it is known to the offender) prescribed in legislation. The offender should be warned that if it later becomes clear that he/she was in possession of any of the specified information and did not provide it 12 or more hours prior to departure, he/she will be liable to be prosecuted. An offender who fails to comply with the requirements set out above without reasonable excuse, or who provides the police with information which he or she knows to be false, could be sent to prison for up to 5 years.

The offender may be asked to provide the information in the second section but he/she is not obliged to provide it.

Section One

Name(s): (as currently notified)	Oliver Bernard	**Date of Birth:**	12/10/1965
Home Address: (as currently notified)	33 Carfax Place SW4 4QB ~~W~~ 4BQ		
Date of Departure From the United Kingdom:	15/07/2022		
Destination Country: (or first country if more than one)	Calais		
Point of Arrival in that Country:			

Dates on which He/She intends to stay in any country visited:

15/07/2022 - 01/08/2022

Any other countries to be visited in addition to the original destination country:

N/A

The carriers He/She will use to travel from the United Kingdom and between any other countries:

P+O ferries - from Dover to Calais

Details of accommodation arrangements in any country being visited:

none

Date of Re-Entry to the UK: 01/08/2022

Point of Arrival on Return to the United Kingdom: back on ferry

RESTRICTED when complete

Section Two (The following information does not have to be provided but, if provided, it should be noted here.)

Purpose of visit:

Holiday

Are you subject to any licence condition or order that prevents you from leaving the UK or visiting a particular country:

NO

Mode of travel to departure point:

train to Dover then ferry

Booking reference number/booking agent:

19776240 - P+O ferries

The names of anyone travelling with you:

none.

Section Three
(This section is administrative information to be completed by the police officer or other authorised person at a police station.)

Date of notification of travel:	30/6/2022	**Date of notification of return:**	30/6/2022

Date and location where first notification of this trip was made: (if applicable) Brixton police station

Signatures

Offenders Signature:

Officer taking details and station PC Lauren Neville 2086AJ

Name: Lauren Neville **Station:** Brixton

Signature: PC Lauren Neville 2086AJ - L.Neville

OIC if different from above

Name: DC A. McLean **Station:** Brixton

Signature:

A COPY OF THIS FORM SHOULD BE GIVEN TO THE OFFENDER

Retention Period: For the life of the open file
MP 211/12

Legal Aid Agency

Legal Aid Agency 1
PO BOX 10619
Nottingham
NG6 6DX
DX 324205 Nottingham 59

Telephone: 0300 200 2020

Partner Katie Brown
T V EDWARDS LLP

Our Ref: 300001517601
Your Ref: KBN/BER374/1
Date: 19/07/2022

To Whom It May Concern,

Re: Oliver Bernard

Thank you for your application for Legal Aid received on 08/07/2022. We can confirm the application has now been considered and a certificate issued with effect from 04/07/2022.

If you applied using the 'single stage' emergency/substantive application process we will consider the substantive element of your application within our published timescales. These are available to view on our website. If required, please refer to the ' Single-stage application quick guide' on our training website for guidance.

If you applied using the 'two stage' emergency application process, it is a condition that a substantive amendment is submitted within 7 days of the date of this letter, along with all the required evidence in support of your application.

If the substantive amendment and supporting evidence are not received within this time, action will be taken to either nullify or revoke the certificate.

Please note that if the emergency certificate is nullified you will not have the option to claim any costs incurred.

An amended certificate including your substantive limitations will be issued once a successful means assessment has been completed and any offer of funding has been accepted.

Please find a copy of your certificate attached and ensure you check all limitations carefully. If we have not granted any of your requests in full then any adjustments made to your original requests will be listed below.

The cost limit requested was £1,350.00, however a cost limit of £2,250.00 has been granted for the following reason(s):

- We have increased your cost limitation for the following reasons

  We have changed your emergency costs limitation to the default amount of

£2250

Where the application has been part granted and an appeal or review is required, this will need to be submitted online within 14 days of the date of this letter.

Please note that decisions relating to Prior Authorities and certain other requests cannot be appealed and are subject to internal review only.

If you have any questions or queries, please do not hesitate to contact us using the details at the top of this letter.

Yours faithfully,
Civil Case Management

On behalf of Director of Legal Aid Casework

Legal Aid Agency

CIVIL LEGAL AID CERTIFICATE

Reference Number: 300001517601

Client Name	Oliver Bernard
Client Address	33, CARFAX PLACE LONDON SW4 7BQ
Firm Name	T V EDWARDS LLP
Fee Earner	Partner Katie Brown
Provider Internal Reference	KBN/BER374/1
Office Address	35-37 MILE END ROAD LONDON E1 4TP

Opponent Details	**Guardian Name**	**Guardian Address**
London Borough Of Lambeth Council		

This is to certify that the status of the Certificate is as specified in the 'Certificate Summary' box below. Its scope is specified in the 'Notice' overleaf. It covers the proceedings listed overleaf and is subject to the limitations and conditions listed overleaf.

Certificate Summary			
Emergency	Certificate	Status:	Live
		Effective Date:	04/07/2022
		End Date:	
		Reinstatement Date:	
		Cost Limitation:	£2,250.00
		Cost Limitation effective date:	
		Certificate Limitation:	N/A

This certificate imposes both scope and financial limitations on the work to be done under it. Solicitors should check the limitations imposed carefully and apply for an amendment where appropriate.

Payment will not be made for work undertaken outside the scope specified or in excess of the costs limit.

NOTICE

Proceeding(s)

CATEGORY OF LAW: Crime - Civil

Part 1 injunction ASBCPA - Crime Civil	**Current Status:** LIVE		
To be represented on an application for a part 1 injunction under the Anti-Social Behaviour, Crime and Policing Act 2014.			
Date work can commence on the above proceeding:	04/07/2022		
Proceeding end date:			
Client involvement type:	Defendant/respondent		
Form of Service:	Full Representation		
Date current Form of Service effective:	04/07/2022		
Previous Form of Service:			
Date previous Form of Service effective:			
Limitation		**Effective Date**	**End Date**
Limited to all steps up to and including the hearing on 24 August 2022		04/07/2022	29/08/2022
		04/07/2022	29/08/2022

Legal Aid Agency

Address

PO BOX 10619
Nottingham
NG6 6DX

Signed
Civil Case Management

On behalf of Director of Legal Aid Casework

Legal Aid Agency

Legal Aid Agency 1
PO BOX 10619
Nottingham
NG6 6DX
DX 324205 Nottingham 59

Telephone: 0300 200 2020

Partner Katie Brown
T V EDWARDS LLP

Our Ref: 300001517601
Your Ref: KBN/BER374/1
Date: 19/07/2022

To Whom It May Concern,

Re: Oliver Bernard

Thank you for your application to amend the emergency certificate dated 08/07/2022.

We can confirm the application has been considered and the emergency certificate has been replaced with a substantive certificate.

We can confirm that your client's means assessment has been fully considered.

Please find a copy of your certificate attached and ensure you check all limitations carefully. If we have not granted any of your requests in full then any adjustments made to your original requests will be listed below.

Where the application has been part granted and an appeal or review is required, this will need to be submitted online within 14 days of the date of this letter.

Please note that decisions relating to Prior Authorities and certain other requests cannot be appealed and are subject to internal review only.

If you have any questions or queries, please do not hesitate to contact us using the details at the top of this letter.

Yours faithfully,
Civil Case Management

On behalf of Director of Legal Aid Casework

Legal Aid Agency

CIVIL LEGAL AID CERTIFICATE

Reference Number: 300001517601

Client Name	Oliver Bernard
Client Address	33, CARFAX PLACE LONDON SW4 7BQ
Firm Name	T V EDWARDS LLP
Fee Earner	Partner Katie Brown
Provider Internal Reference	KBN/BER374/1
Office Address	35-37 MILE END ROAD LONDON E1 4TP

Opponent Details	**Guardian Name**	**Guardian Address**
London Borough Of Lambeth Council		

This is to certify that the status of the Certificate is as specified in the 'Certificate Summary' box below. Its scope is specified in the 'Notice' overleaf. It covers the proceedings listed overleaf and is subject to the limitations and conditions listed overleaf.

The date and limitations on substantive certificates issued on or after 13th October 2015 are effective from the date of issue of the emergency (if an emergency has been issued).

Certificate Summary

Substantive	Certificate	Status:	Live
		Effective Date:	04/07/2022
		End Date:	
		Reinstatement Date:	
		Cost Limitation:	£2,250.00
		Cost Limitation effective date:	
		Certificate Limitation:	N/A

This certificate imposes both scope and financial limitations on the work to be done under it. Solicitors should check the limitations imposed carefully and apply for an amendment where appropriate.

Payment will not be made for work undertaken outside the scope specified or

in excess of the costs limit.

NOTICE

Proceeding(s)

CATEGORY OF LAW: Crime - Civil

Part 1 injunction ASBCPA - Crime Civil	**Current Status:** LIVE		
To be represented on an application for a part 1 injunction under the Anti-Social Behaviour, Crime and Policing Act 2014.			
Date work can commence on the above proceeding:	04/07/2022		
Proceeding end date:			
Client involvement type:	Defendant/respondent		
Form of Service:	Full Representation		
Date current Form of Service effective:	04/07/2022		
Previous Form of Service:			
Date previous Form of Service effective:			
Limitation		**Effective Date**	**End Date**
		04/07/2022	29/08/2022
Limited to all steps up to but excluding trial but including and obtaining external Counsel's Opinion or the opinion of an external solicitor with higher court advocacy rights.		04/07/2022	
Limited to all steps up to and including the hearing on 24 August 2022		04/07/2022	29/08/2022

Legal Aid Agency

Address

PO BOX 10619
Nottingham
NG6 6DX

Signed
Civil Case Management

On behalf of Director of Legal Aid Casework

Please provide feedback to help us improve this service.

Oliver Bernard300001517601KBN/BER374/1

View and Print Application

The information you have entered in your Application is listed below. Please check carefully to make sure it is correct.

You can store a copy of your Application answers to your computer via the internet browsers 'save' option.

Print date: 04 Jul 2022

Client Details

Basic Client Details

Title	Mr
Surname	Bernard
Middle Name(s)	
First Name	Oliver
Surname at Birth	Bernard
Date of Birth	12/10/1965
Country of Origin	United Kingdom
NI Number	
Home Office Number	
Gender	Male
Marital Status	Separated
High Profile Client	No
Vulnerable Client	No
Mental Incapacity	No

Client Contact Details

Telephone - Home	
Telephone Work	
Mobile	07908404232
E-mail Address	
Correspondence Method	Letter
Correspondence Language	
Password Reminder	TVE

Client Address Details

Country	United Kingdom
House Name / Number	33
Post Code	SW4 7BQ
Address Line 1	33, CARFAX PLACE
Address Line 2	
City / Town	LONDON
County	

No Fixed Abode	No

Equal Opportunities Monitoring

Ethnic Origin	Prefer not to say
Disability	Unknown
Special Considerations	

General Details

Category of Law	Crime - Civil
Application Type	Substantive Delegated Functions
Delegated Functions Date	04/07/2022

Correspondence Address

Preferred Address	Send to Client Address
Country	
House Name / Number	
Post Code	
C/O	
Address Line 1	
Address Line 2	
City / Town	
County	

Provider Details

Office	T V EDWARDS LLP-0M767Q
Name of solicitor or Fellow of the Institute of Legal Executives instructed	Katie Brown
Supervisor	Amanda Ford
Provider Case Reference	KBN/BER374/1
Contact Name	KATIE.BROWN@TVEDWARDS.COM

Proceedings and Costs

Proceeding 1

Matter Type	Crime - Civil
Proceeding	Part 1 injunction ASBCPA - Crime Civil
Client Involvement Type	Defendant/respondent
Form of Civil Legal Service	Full Representation
Scope Limitation 1	
Delegated Functions Apply?	Yes
Scope Limitation	Hearing
Scope Limitation Wording	Limited to all steps up to and including the hearing on 24 August 2022
Scope Limitation 2	
Delegated Functions Apply?	Yes
Scope Limitation	Filing and Service
Scope Limitation Wording	Limited to the filing and service of witness statement

Scope Limitation 3	
Delegated Functions Apply?	No
Scope Limitation	Exc. Trial/Incl. Counsel Opinion
Scope Limitation Wording	Limited to all steps up to but excluding trial but including and obtaining external Counsel's Opinion or the opinion of an external solicitor with higher court advocacy rights.
Case Cost Limitation	£ 2250.00

Opponents and Other Parties

Organisation

Organisation Name	London Borough of Lambeth Council
Organisation Type	Local Authority
Currently Trading	Yes
Relationship to Case	Opponent
Relationship to Client	Landlord
Contact Name and Role	Not Available
Building Name / Number	
Address Line 1	Town Hall
Address Line 2	Brixton Hill
City / Town	London
County	
Country	United Kingdom
Post Code	SW2 1RW
Telephone	
Fax	
Email Address	
Any other information about the Liable Organisation	

Means Assessment

ASSESSMENT SUMMARY

Client Overall Eligibility	In Scope
Client Provisional Capital Contribution	£0.00
Dec: Relevant Declaration Will Be Signed Prior To Submission Of The Application	Yes
Copy of Declaration against Instructions	No
Dec: Supplier has been advised to obtain relevant signature	Yes
The means declaration 2a paragraph 1	2. a) Client
The means declaration 2a paragraph 2	– To be signed where the client is in receipt of a passported benefit except where the client is a protected party.
The means declaration 2a paragraph 03	This declaration applies to all the information given in this application as summarised below, and to any evidence provided in support:
The means declaration 2a paragraph 3	I, my partner, the person I am applying for or their partner get Income Support income-based Jobseeker's Allowance, income-related Employment and Support Allowance , Guarantee Credit or Universal Credit (path finder).
The means declaration 2a paragraph 4	This is a true statement of all my and my partner's (if applicable) assets in the UK and abroad. I understand that if I am found to have knowingly made a false declaration about my assets or the benefit I receive, or to be dishonestly claiming benefits or not

	properly entitled to benefits, my legal aid may be revoked i.e. cancelled, at which point I will become liable to pay all the costs that have been incurred and may be prosecuted
The means declaration 2a paragraph 5	I understand that the Legal Aid Agency or my solicitor on behalf of the Legal Aid Agency will regularly undertake checks to confirm my and/or my partner's receipt of and continuing entitlement to benefits with the Department of Work and Pension or their agents.
The means declaration 2a paragraph 6	I understand that I must tell you immediately if there are any changes in my or my partner's (if applicable) financial circumstances including a change in benefits. Failure to notify changes may lead to my legal aid being revoked and I may be prosecuted.
The means declaration 2a paragraph 7	I understand the Legal Aid Agency can make any enquiries and get any information it needs to deal with this application. I agree to the Legal Aid Agency checking these facts with others such as credit reference agencies, the Department of Work and Pensions and HM Revenue and Customs and I authorise those people/organisations to provide the information they are asked for.
The means declaration 2a paragraph 8	I understand that I must co-operate fully and immediately with any enquiry into my financial circumstances by the Legal Aid Agency; if I do not, my legal aid certificate may be revoked.
The means declaration 2a paragraph 9	I understand that legal aid is not always free. I may have to pay a contribution towards my legal costs from my capital.
The means declaration 2a paragraph 10	I understand that the statutory charge may arise if I keep or gain money or assets as a result of my case. This means that I may have to pay back my legal costs at the end of my case from money or assets kept or gained, or costs awarded in my favour.
The means declaration 2a paragraph 11	I understand that the LAA may register an interest bearing charge against my property.
The means declaration 2a paragraph 12	The more work my solicitor does, the more I may have to pay back.
The means declaration 2a paragraph 13	I understand if false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies to prevent fraud and money laundering. For further details explaining how the information held by fraud prevention agencies may be used contact the Counter Fraud and Investigations team via email at MoJCounterFraudInv@justice.gov.uk.
The means declaration 2a paragraph 14	Signed:
The means declaration 2a paragraph 15	Date: 4/7/22
Client: The date client was aware of litigation	25/05/2022
Client: Prisoner?	No
Client: The client has recently separated or divorced?	No
Client: The client has a partner?	No
Client: The client is receiving a passported benefit?	Yes
Client: The client has persons residing in their household?	No
Passported: The person who receives passported benefit?	Client
Passported: The Recipient's NINO	NH271857D
Passported: The passported benefit being received	Guarantee State Pension Credit
DWP Benefit Check: Recipient's DOB	12/10/1965
DWP Benefit Check: Recipient's NINO	NH271857D
DWP Benefit Check: Recipient's Surname	Bernard
DWP Benefit Check: Response	YES
MPA: The matter would be classed as a multi-party action?	No
Restraint order: The client is subject to a freezing order?	No
SMOD Other: The client's assets are smod in separate proceedings?	No

For Ex Controls: The client's assets subject to foreign exchange controls?	No
Bankruptcy: The client is subject to a bankruptcy order?	No
Main Dwelling: The client owns/has financial interest?	No
Add. Property: The client has owns/ has financial interest in property?	No
Land: The client owns or has a financial interest in land?	No
Will: The client is a beneficiary of a will?	No
Timeshare: The client owns or has a financial interest?	No
Bank accounts: The client has bank accounts?	Yes
3rd party accounts: The client is signatory to bank accounts?	No
Investments: The client has investments?	No
Other savings: The client has other savings?	No
Shares: The client has shares in a public limited company?	No
Val. possessions: The client has valuable possessions valued at £500+?	No
Policies: The client has policies not linked to mortgage/death?	No
Cars: The client has use of a car owned by someone else?	No
Cars: The client owns car(s)?	No
Money due: The client is owed money, including through a private mortgage?	No
Trust: The client has an interest in a trust?	No
Other capital: The client has other capital?	No
Financial Help: Client gets financial help?	No
Sale/transfer: The client has transferred/sold/given away asset(s)?	No
Purchase: The client has made purchases over £2500?	No
Payment: The client has paid out over £2500?	No
Self. Emp.: The client is self employed?	No
Bus. Part.: The client is in a business partnership?	No
Company: The client is a director and/or shareholder?	No

BANK ACCOUNTS

Bank accounts: The type of account	Bank Savings
Bank accounts: Name of financial institution	Halifax
Bank accounts: Account number	12009967
Bank accounts: Account holders	Client Sole
Bank accounts: Client benefits paid in?	No
Bank accounts: Current Balance	£0.00

BANK ACCOUNTS

Bank accounts: The type of account	Bank Savings
Bank accounts: Name of financial institution	Halifax
Bank accounts: Account number	38647376
Bank accounts: Account holders	Client Sole
Bank accounts: Client benefits paid in?	No
Bank accounts: Current Balance	£0.00

BANK ACCOUNTS

Bank accounts: The type of account	ISA
Bank accounts: Name of financial institution	Halifax
Bank accounts: Account number	00062573
Bank accounts: Account holders	Client Sole
Bank accounts: Client benefits paid in?	Yes
Bank accounts: Current Balance	£0.34

BANK ACCOUNTS

Bank accounts: The type of account	Bank Current
Bank accounts: Name of financial institution	HSBC
Bank accounts: Account number	92748762
Bank accounts: Account holders	Client Sole
Bank accounts: Client benefits paid in?	Yes
Bank accounts: Current Balance	£8.68

BANK ACCOUNTS

Bank accounts: The type of account	Bank Current
Bank accounts: Name of financial institution	Metro Bank
Bank accounts: Account number	41657138
Bank accounts: Account holders	Client Sole
Bank accounts: Client benefits paid in?	No
Bank accounts: Current Balance	£0.00

Merits Assessment

ASSESSMENT SUMMARY

Dec: Application Has Been Completed On Behalf Of Someone Else	No
Dec: Provider Confirms The Implications Of DF Revocation Have Been Explained	Yes
Dec: Relevant Declaration Will Be Signed Prior To Submission Of The Application	Yes
Dec: The Client's Declaration	1. a) Client's Merits Declaration
Dec: The Client's Declaration Paragraph 02	This declaration applies to all the information given in this application as summarised below, and to any evidence provided in support:
Dec: The Client's Declaration Paragraph 2	My solicitors have given me to keep:
Dec: The Client's Declaration Paragraph 3	> The Legal Aid Agency's leaflet about Legal Aid ('Paying for your Legal Aid' leaflet available at https://www.gov.uk/guidance/funding-and-costs-assessment-for-civil-and-crime-matters)
Dec: The Client's Declaration Paragraph 6	I understand:
Dec: The Client's Declaration Paragraph 7	- Legal aid is not always free.

Case: The Matter Is A Multi-Party Action Or Potential Multi-Party Action	No
Case: The Matter Is In Relation To Prison Law Or Prisoner Rights	No
AltFund: The Application Is Being Brought By A Personal Representative	No
AltFund: There Are Other Persons Who Can Reasonably Be Expected Fund The Case	No
AltFund: There Are Other Parties Who Are Likely To Benefit From Work Conducted	No
AltFund: The Client Has Building Insurance	No
AltFund: The Client Has Contents Insurance	No
AltFund: The Client Has Motor Insurance	No
AltFund: Client Has A Policy Or Membership Which Provides Help With Legal Costs	No
AltFund: The Client Has Any Other Legal Expenses Insurance	No
AltFund: The Client Has Attempted To Obtain After The Event Insurance	No
AltFund: Response To The Attempt To Obtain After The Event Insurance Or Reason	Our client is in receipt of UC and would be unable to afford the premiums of ATE
AltFund: The Matter Is Suitable For A CFA	No
AltFund: The Detail Of Suitability Of A CFA	Not suitable in the circumstances of the case
Settle: Attempts To Settle The Matter Through Negotiation Correspondence Made	No
Settle: The Reason Why No Attempts To Settle Have Been Made	An injunction has already been obtained
Settle: There Is A Complaints/Ombudsman Scheme The Matter Could Be Referred To	No
Settle: The Client Has Proposed Any Form Of Alternative Dispute Resolution	No
Settle: The Reason Why ADR Was Not Considered Appropriate For The Matter	An injunction has already been obtained
Settle: A Letter Before Action Has Been Sent	No
Settle: The Reason No Letter Before Action Was Sent	An injunction has already been obtained
CostBen: The Reason Is Considered Proportionate For The Purposes Of The Regs	The client has been unrepresented to date and there is an injunction in place against him. The next hearing is to decide whether or not the injunction should continue and to reconsider the Claimant's application for an exclusion order. Our client therefore faces very serious consequences if he is to breach the injunction - namely potentially committal and possession of his home. He also risks being excluded from his home.
CostBen: The Matter Is Of Overwhelming Importance To The Client	Yes
CostBen: The Overwhelming Importance Reason	Case concerns the roof over the client or his or her family's head
CostBen: The Detail Why The Case Has Overwhelming Importance To The Client	Our client is at risk of being excluded from his home/possession of his home should he breach the injunction
CostBen: Matter Is Of Significant Wider Public Interest	No
The provider is confident that client has read and understood declaration	Yes
CostBen: The Client Is Contending The Case Relates To Serious Wrongdoing	No
CostBen: The Client Is Contending The Case Has Human Rights Elements	No

Dec: The Client's Declaration Paragraph 8	- The Legal Aid Agency may register an interest bearing charge against my property.
Dec: The Client's Declaration Paragraph 9	- I may have to pay back all or part of my legal costs at the end of my case.
Dec: The Client's Declaration Paragraph 10	- The more work my solicitor does, the more I may have to pay back.
Dec: The Client's Declaration Paragraph 11	As far as I know, all the information I have given is true and I have not withheld any relevant information. I understand that if I knowingly give false information or withhold relevant information or fail to disclose any change in circumstances for the duration of my funding that my Legal Aid may be stopped and criminal proceedings may be taken against me.
Dec: The Client's Declaration Paragraph 12	I give my permission for the Legal Aid Agency to make any enquiries of third parties and I authorise those third parties to give any information necessary to deal with this.
Dec: The Client's Declaration Paragraph 13	I understand if false or inaccurate information is provided and fraud is identified, details will be passed to fraud prevention agencies to prevent fraud and money laundering. For further details explaining how the information held by fraud prevention agencies may be used contact the Counter Fraud and Investigations team via email at MoJCounterFraudInv@justice.gov.uk.
Dec: The Client's Declaration Paragraph 14	Signed:
Dec: The Client's Declaration Paragraph 15	Date: 4/7/2022
Urgent: The Application is for urgent funding	No
Emg: The Application Has Been Granted Using Delegated Functions	Yes
Emg: The Delegated Functions Date	04/07/2022
Emg: The Reason Why The Application Meets The Emergency Criteria	Urgent hearing to attend
Emg: The Date Of The Urgent Hearing	24/08/2022
Emg: Additional Information	There is a hearing listed on 24 August 2022 which we must prepare for and attend
App: The Main Purpose Of The Application	To represent our client in ASBCPA proceedings
App: The Date The Client First Visited The Firm About This Case	04/07/2022
App: Number Of Parties Represented By The Solicitor In The Proceedings	1
App: The predicted costs of certificated work	£3500.00
PrevLA: The Client Has Received Legal Aid Before	No
PrevLA: The Provider Has Provided Legal Help To The Client On This Matter	No
PrevLA: The Reason Client Is Applying For Investigative Representation/Full Rep	The matter is urgent as there is a hearing coming up on 24 August 2022 which we must prepare for and attend.
Court: The Proceedings For Which Funding Is Being Sought Are Before The Court	Yes
Court: The Name Of The Court	Clerkenwell & Shoreditch
Court: The Court Type	County Court
Court: A Hearing Date Has Been Fixed	Yes
Court: The Date Of The Next Hearing	24/08/2022
Court: The Purpose Of The Next Hearing	To consider whether the Injunction Order dated 18 May 2022 should continue and to reconsider the Claimant's application for an exclusion order
Rep: The client requires separate representation in proceedings	Yes
Rep: The reason client requires separate representation in proceedings	The Claimant is our client's landlord and therefore there would be a conflict of interest
Case: Actual / Likely Costs Of The Case For All Clients Represented Exceed 25K	No
Case: Full Or Partial UK Status (DLR Or ILR)	No
Case: Matter Relates To Mental Health Act 2007/Mental Capacity Act 2005	No

Evi: There Is An Existing Counsels Opinion In Relation To The Matter	No
Evi: There Are Existing Experts Reports In Relation To The Matter	No
Evi: The Provider Is Going To Upload A Separate Statement	Yes
Evi: Provider is going to upload evidence supporting Dec Against Instructions	No

PROCEEDINGS

Proc: The Proceeding Meaning	Part 1 injunction ASBCPA-Crime Civil
Proc: The Proceeding Description	To be represented on an application for a part 1 injunction under the Anti-Social Behaviour, Crime and Policing Act 2014.
Proc: Lead Proceeding	Yes
Proc: The Proceeding Has Been Listed For A Final Contested Hearing	No
SCA: The Appeal For The Proceeding Is An Appeal Against A Final Order	No
NonFam: An Application For Pre-Action Disclosure In The Proceeding	No
NonFam: The Proceeding Has Been Issued	Yes
NonFam: The Non-Family Prospects Of Success	Moderate (50-60%)
NonFam: The Proceeding Involves A Claim For Damages	No
NonFam: The Value Of The Damages In The Proceeding Against The Police	£0.00
NonFam: Non-Family Estimated Profit Cost To Trial	£2000.00
NonFam: Non-Family Estimated Disbursements To Trial	£0.00
NonFam: Non-Family Estimated Expert Cost To Trial	£0.00
NonFam: Non-Family Estimated Counsel Fee To Trial	£1500.00
NonFam: Cost To Trial	£3500.00
NonFam: It Is Believed The Proceeding Will Settle Or Otherwise Be Disposed Of	No
NonFam: Cost To Disposal	£0.00

THE NON-FAMILY STATEMENT OF CASE

Statement: The Non-Family Statement Of Case Detail	Provider will upload a separate statement.
Statement: Non Family Statement Of Case Additional Information	Provider will upload a separate statement.

Signature

Text signature to be provided

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Legal Aid Agency

Legal Aid Agency 1
PO BOX 10619
Nottingham
NG6 6DX
DX 324205 Nottingham 59

Telephone: 0300 200 2020

Partner Katie Brown
T V EDWARDS LLP

Our Ref: 300001517601

Your Ref: EBK/BER374/1

Date: 08/09/2022

To Whom It May Concern,

Re: Oliver Bernard

Thank you for your application to amend the certificate dated 31/08/2022. We can confirm the amendment has been granted and an updated certificate is attached. Please ensure you check all limitations carefully.

If this application has been part granted, then any adjustments made to your original requests will be listed below.

Please note that decisions relating to Prior Authorities and certain other requests cannot be appealed and are subject to internal review only.

If you have any questions or queries, please do not hesitate to contact us using the details at the top of this letter.

Yours faithfully,
Civil Case Management

On behalf of Director of Legal Aid Casework

Legal Aid Agency

CIVIL LEGAL AID CERTIFICATE

Reference Number: 300001517601

Client Name	Oliver Bernard	
Client Address	33, CARFAX PLACE LONDON SW4 7BQ	
Firm Name	T V EDWARDS LLP	
Fee Earner	Partner Katie Brown	
Provider Internal Reference	EBK/BER374/1	
Office Address	35-37 MILE END ROAD LONDON E1 4TP	
Opponent Details	**Guardian Name**	**Guardian Address**

This is to certify that the status of the Certificate is as specified in the 'Certificate Summary' box below. Its scope is specified in the 'Notice' overleaf. It covers the proceedings listed overleaf and is subject to the limitations and conditions listed overleaf.

The date and limitations on substantive certificates issued on or after 13th October 2015 are effective from the date of issue of the emergency (if an emergency has been issued).

Certificate Summary			
Substantive	Certificate	Status:	Live
		Effective Date:	04/07/2022
		End Date:	
		Reinstatement Date:	
		Cost Limitation:	£10,000.00
		Cost Limitation effective date:	
		Certificate Limitation:	N/A

This certificate imposes both scope and financial limitations on the work to be done under it. Solicitors should check the limitations imposed carefully and apply for an amendment where appropriate.

Payment will not be made for work undertaken outside the scope specified or in excess of the costs limit.

NOTICE

Proceeding(s)

CATEGORY OF LAW: Crime - Civil

Part 1 injunction ASBCPA - Crime Civil	**Current Status:** LIVE	
To be represented on an application for a part 1 injunction under the Anti-Social Behaviour, Crime and Policing Act 2014.		
Date work can commence on the above proceeding:	04/07/2022	
Proceeding end date:		
Client involvement type:	Defendant/respondent	
Form of Service:	Full Representation	
Date current Form of Service effective:	04/07/2022	
Previous Form of Service:	Full Representation	
Date previous Form of Service effective:		
Limitation		**Effective Date End Date**
Limited to all steps up to but excluding trial but including and obtaining external Counsel's Opinion or the opinion of an external solicitor with higher court advocacy rights.		04/07/2022

Legal Aid Agency

Address

PO BOX 10619
Nottingham
NG6 6DX

Signed
Civil Case Management

On behalf of Director of Legal Aid Casework

From: Nina Franklin
Sent: 13 September 2022 12:01:29
To: Kevin Howard
Subject: 33 carfax Place
Attachments: Lettersenttodefendant-V1.doc, Revised injunction Order (by Judge).pdf

From: Justine Ghata-Aura
Sent: 07 October 2022 14:01:51
To: Caroline Bird
Subject: Automatic reply: Matter 16129: Oliver Bernard

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I am now out of the office until Monday 10th October

If your matter is urgent please email office@expertinmind.co.uk or call 01424 444130

Thank you.

From: ACCESSREQUESTS, Pcse (CAPITA - PCSS)
Sent: 23 August 2022 10:24:47
To: Emily Black
Subject: CAS-3903463-C2N3P2 Your Ref: KBN/BER37 4/1
Attachments: NHS Accessing Encrypted Emails.pdf

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Good Morning,
After receiving our correspondence via an encrypted email earlier please find attached instructions for opening that said email.
Please note that the encrypted email can only be opened by the email address that the secure email was sent to.

Our new online application form for access to confidential GP health records is now available. Please submit any future applications via our new online forms. For instructions on how to submit an online application form please visit https://pcse.england.nhs.uk/services/medical-records/accessing-medical-records/

Please visit Information Services - Primary Care Support England for submitting online forms requests in relation to Information Services requests including requests from NHS bodies, GP Practice requests, Coroners requests, Police requests and Charity missing persons requests.

These forms have been designed to speed up the overall process for all parties by ensuring that all information needed to action your request is available at the start. Supporting information can also be uploaded directly into the form.

Kind Regards,

Case Handler - Patient Services Team
Primary Care Support England

https://pcse.england.nhs.uk/contact-us/
Customer Support Centre: 0333 014 2884
Email: pcse.accessrequests@nhs.net

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Registered office 65 Gresham St | London | EC2V 7NQ | www.capita.com

Please click a star to rate how satisfied you are with the service that you have received from me today?

Very Satisfied Dissatisfied Very

Satisfied Dissatisfied

Click here to find out more about PCSE Access to Medical Records services.

****
********* **********

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Thank you for your co-operation.

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For more information and to find out how you can switch visit Joining NHSmail - NHSmail Support

From: ACCESSREQUESTS, Pcse (CAPITA - PCSS)
Sent: 23 August 2022 10:24:09
To: Emily Black
Subject: [secure] CAS-3903463-C2N3P2 Your Ref: KBN/BER37 4/1
Attachments: ob.docx, CAS 3903463 4326879297.pdf

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

This email, created by pcse.accessrequests@nhs.net, has been securely delivered using Egress Switch and was decrypted on Tuesday, August 23, 2022 10:47:01 AM+01:00

Good Morning

Following your application to access medical records, please find attached the following:

Disclosed Medical Records

Decision on disclosure

Please consider the decision on disclosure letter. This letter provides the decision on disclosure by the NHSE Health Professional. If you have any questions regarding the decision on disclosure, please contact us via pcse.accessrequests@nhs.net or visit https://pcse.england.nhs.uk/services/medical-records/accessing-medical-records/ to view our FAQ's.

Please note, if the NHSE Health Professional's has found the records to be illegible or incomplete, you will be directed to the last practice, when practicable, to retrieve the illegible/incomplete records.

Our new online application form for access to confidential GP health records is now available. Please submit any future applications via our new online forms. For instructions on how to submit an online application form please visit https://pcse.england.nhs.uk/services/medical-records/accessing-medical-records/

Please visit Information Services - Primary Care Support England for submitting online forms requests in relation to Information Services requests including requests from NHS bodies, GP Practice requests, Coroners requests, Police requests and Charity missing persons requests.

These forms have been designed to speed up the overall process for all parties by ensuring that all information needed to action your request is available at the start. Supporting information can also be uploaded directly into the form.

Kind Regards,

Case Handler - Patient Services Team
Primary Care Support England

https://pcse.england.nhs.uk/contact-us/
Customer Support Centre: 0333 014 2884
Email: pcse.accessrequests@nhs.net

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Registered office 65 Gresham St | London | EC2V 7NQ | www.capita.com

Please click a star to rate how satisfied you are with the service that you have received from me today?

Very Satisfied	Satisfied	Dissatisfied	Very Dissatisfied

Click here to find out more about PCSE Access to Medical Records services.

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From: Alice Irving
Sent: 16 August 2022 23:12:28
To: Emily Black
Cc: Isabel Trinder
Subject: Re: LB Lambeth v Oliver Bernard

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Hi Emily,

I am sorry for my delay in responding given the client's vulnerability.

I will be able to provide preliminary advice on this by the end of the week.

Kind regards,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Emily Black <Emily.Black@tvedwards.com>
Date: Monday, 15 August 2022 at 10:22
To: Alice Irving <a.irving@doughtystreet.co.uk>

Cc: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: LB Lambeth v Oliver Bernard

External

Hi Alice,

I sent instructions over on this matter on Friday and the hearing is on 24 August.

Mr Bernard has been in touch this morning and he is quite anxious about his case. I'd be very grateful if you could give an idea of when you might be able to have a look at this case and provide advice so I can manage Mr Bernard's expectations.

Thanks v much.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit http://www.mimecast.com

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This email has been scanned for viruses and malware.

From: Alice Irving
Sent: 16 September 2022 09:47:36
To: Emily Black
Subject: Re: Bernard

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Hi Emily,

Goodness. This is a first. Well done for spotting it.

Where are we up to with the capacity assessment for the client?

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

External

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Alice Irving
Sent: 16 September 2022 14:00:37
To: Emily Black
Subject: Re: Bernard

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Hi Emily,

My last check the videos are still up.

Have you had any further conversations or correspondence with Mr Bernard? I think if we can try to get him to cooperate to take them down that is best, on the basis that if he didn't post them, and we tell him it is bad for his case for his private conversations with his lawyers to be online and accessible, then he will hopefully agree to access his account and take them down.

If he will not agree to take them down, then I think we need to consider notifying YouTube to see if we can have them take the content down. I have not had a chance to check over what else is on the channel, but we need to see if there is anything else there that is potentially prejudicial to the case and to talk to Mr Bernard about not putting content online going forwards.

Hopefully we can do this cooperatively. If we are unable to get Mr Bernard to cooperate, we may need to consider a COP application – but that is last resort territory.

Can you let me know what has happened with the assessment? It might be worth adding in an additional question about capacity to make decisions around posting content online, if the report/observation is not already complete.

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Friday, 16 September 2022 at 09:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Goodness. This is a first. Well done for spotting it.

Where are we up to with the capacity assessment for the client?

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

> External

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Alice Irving
Sent: 16 September 2022 14:35:06
To: Emily Black
Subject: Re: Bernard

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Hi Emily

Thank you for this update.

I am going to have to talk to colleagues about what to do if the videos do not come down. Well done getting some progress.

Have a crack at adding a question on capacity to make decisions around the videos, and I will review.

Thanks for this… what a mess.

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 14:32
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

Hi Alice,

Thanks for this. I have spoken with Mr Bernard further, he agreed to make them private but not remove them. Some have gone but as you say, some are still there.

I'm just drafting a letter to him now about it. I will include as you say about it being potentially bad for his case, and ask him to remove them within 24 hours.

The assessment is due to take place on 7 October. I do have concerns about Mr Bernard attending as the more time that passes the more reluctant he is. He is regularly mentioning us having "ulterior motives" for wanting to get the assessment. I am going to send him a separate letter today to set out again why the assessment is important to his case.

Given it's not until the 7 October, I can send over the additional capacity question you mention.

Kind regards,

Emily

Emily Black

Solicitor

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:01
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Subject: Re: Bernard

Hi Emily,

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All best,
Alice

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Date: Friday, 16 September 2022 at 09:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

> External

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I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black
Solicitor
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From: Alice Irving
Sent: 18 August 2022 16:39:06
To: Emily Black
Subject: Oliver Bernard

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Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

- Given this, I think that ethically we are required to raise with the court, and flag to other side, that we have concerns as to our client's litigation capacity. Further steps should not be taken in these proceedings until the issue of capacity is determined (see CPR 21.3). We should invite the other side to agree to a further adjournment to allow us to instruct an expert to assess our client. Do you have someone you usually work with? How long do they generally take? That should inform the proposed length of adjournment.

- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

- As we are going to need an expert report on capacity, we should also have this cover the ground we need for any potential disability discrimination defence in relation to the ASBI application. Further, I understand there are parallel possession proceedings. Ideally we would also cover any issues arising in that context, to try to make sure we get the most out of instructing the expert we can. Please do send a LOI to me to review prior to providing to the expert. Please note that I am on leave from 29 August – 12 September.

Otherwise:

- Have we asked the client whether he is currently using alcohol, or any other drugs? This seems to have been a prior trigger for behavioural issues. This would of course complicate the position in relation to any disability discrim defence.

- My instructions refer to a Care Act assessment from June 2022, but I don't seem to have a copy of the same. Please can you send this over.

- Have you viewed the CCTV footage in full, such that I only need to view the pinpoint references you have given in instructions, or is it necessary for me to view all of the footage? If someone has already reviewed the footage in full and you are satisfied I do not need to, that will save the LAA money. If it needs reviewing in full, let me know.

Let me know if you have any questions arising.

Kind regards,
Alice

Alice Irving
Barrister
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E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
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From: Alice Irving
Sent: 19 August 2022 13:46:24
To: Emily Black
Subject: Re: Oliver Bernard

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Hi Emily,

Thank you for your call.

I appreciate this is a finely balanced case and it is useful for me to meet the client in person.

Can I follow up below on the reference to the June 2022 Care Act assessment which I don't have a copy of I don't think? That would assist me.

Kind regards,
Alice

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Thursday, 18 August 2022 at 16:39

To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

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- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

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Otherwise:

- Have we asked the client whether he is currently using alcohol, or any other drugs? This seems to have been a prior trigger for behavioural issues. This would of course complicate the position in relation to any disability discrim defence.

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- Have you viewed the CCTV footage in full, such that I only need to view the pinpoint references you have given in instructions, or is it necessary for me to view all of the footage? If someone has already reviewed the footage in full and you are satisfied I do not need to, that will save the LAA money. If it needs reviewing in full, let me know.

Let me know if you have any questions arising.

Kind regards,
Alice

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From: Alice Irving
Sent: 19 August 2022 15:33:32
To: Emily Black
Subject: Re: Oliver Bernard

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Hi Emily

Thanks – this assessment documentation, which I had not previously seen, is really important.

While at the multi-disciplinary meeting the police raised the possibility of deterioration of Oliver's mental health, in this assessment (although not completed with MH services) the social worker is not concerned as to his mental health and capacity. I am less worried now than I was.

On the other hand, the eligibility criteria document states specifically that the referral to the MH Team was to assess his mental state and if his behaviour is linked to his MH diagnosis and an indication of deteriorating mental state.

The report states that Oliver was agreeable to meet with the MH Team, although I understand that didn't happen. Correct me if I am wrong on that.

I still think it is worth meeting Oliver to discuss the potential for a disability discrimination defence and how he responds, as I don't want to pre-emptively rule that defence out and need to know whether we are able to take instructions from him on exploring that possibility. How he communicates around that will be critical.

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 19 August 2022 at 14:20
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi Alice,

Thanks, Mr Bernard has confirmed that he can attend at 4pm on Monday.

I've attached the two assessment documents that I have.

I haven't taken instructions re current alcohol or drug use – perhaps we can approach this on Monday.

I have viewed the CCTV footage all the way through in that I have skipped through it to determine that nothing happens outside of the pinpointed hours – but not watched it second by second.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 19 August 2022 13:46
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Kind regards,
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From: Alice Irving
Sent: 21 October 2022 16:41:19
To: Emily Black
Subject: Re: Bernard

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Hi Emily

Thanks for letting me know. That is really unfortunate. I would sometimes try to persist with a second appointment etc but it is ultimately a judgment call for you and those overseeing the case.

I hope you're well and we can work together again soon.

Best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Tuesday, 18 October 2022 at 16:31
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

Hi Alice,

Just writing to provide an update on this case.

Unfortunately Mr Bernard did not attend the appointment with Dr Suleman despite our advice.

We advised him that it was essential to his case that he attended the appointment and that if he did not attend, then we would not be able to continue to act for him. Mr Bernard confirmed that he understood the consequences of not attending.

On this basis, I will be making an application to come off the record as acting for Mr Bernard tomorrow.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 28 September 2022 16:15
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily

Nice to see you today. I caught up with Sarah at chambers – frustrating outcome.

In terms of the below:

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*

- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks!

Have a lovely break x

Al

From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Wednesday, 28 September 2022 at 09:11
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Yes I'll make sure I come back on this today 😊

Might see you shortly.

Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Wednesday, 28 September 2022 at 09:10
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

Hi Alice,

Appreciate you're swamped this morning but would you have time to get back to me on the below this afternoon? I'm on annual leave after today not returning until 11 Oct, so hoping to get the updated question out to the expert today.

FYI have not heard back from our senior partner yet re the videos.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 22 September 2022 15:43
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

Hi Alice,

Videos still up despite my letter. One of the senior partners at the firm is having a look into this today so will let you know what she says.

Re the further question to the expert, thinking something as follows within the capacity question 3:

c. Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use and weigh the consequences of doing so

i.e. posting content online can be viewed by anybody and not just those who he sends the link to (including strangers), that personal information about himself and others could be shared with strangers, and that other people in the content he is posting online may not consent to their image being posted online.

Frustratingly, Dr Suleman is no longer able to do a face-to-face appointment on 7 October. They offered Zoom, but I explained that Mr Bernard would benefit from in-person and that's one of the reasons we instructed Dr Suleman. They've offered face-to-face at 5:45pm on 10 October instead. Mr Bernard had previously not been keen for an evening appointment, but I'll run this one by him and see what he says. Difficult as he's already been expressing that he doesn't want to attend the appointment. He may actually be more likely to attend if it's on Zoom.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:35
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily

Thank you for this update.

I am going to have to talk to colleagues about what to do if the videos do not come down. Well done getting some progress.

Have a crack at adding a question on capacity to make decisions around the videos, and I will review.

Thanks for this… what a mess.

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 14:32
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

Hi Alice,

Thanks for this. I have spoken with Mr Bernard further, he agreed to make them private but not remove them. Some have gone but as you say, some are still there.

I'm just drafting a letter to him now about it. I will include as you say about it being potentially bad for his case, and ask him to remove them within 24 hours.

The assessment is due to take place on 7 October. I do have concerns about Mr Bernard attending as the more time that passes the more reluctant he is. He is regularly mentioning us having "ulterior motives" for wanting to get the assessment. I am going to send him a separate letter today to set out again why the assessment is important to his case.

Given it's not until the 7 October, I can send over the additional capacity question you mention.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:01
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily,

My last check the videos are still up.

Have you had any further conversations or correspondence with Mr Bernard? I think if we can try to get him to cooperate to take them down that is best, on the basis that if he didn't post them, and we tell him it is bad for his case for his private conversations with his lawyers to be online and accessible, then he will hopefully agree to access his account and take them down.

If he will not agree to take them down, then I think we need to consider notifying YouTube to see if we can have them take the content down. I have not had a chance to check over what else is on the channel, but we need to see if there is anything else there that is potentially prejudicial to the case and to talk to Mr Bernard about not putting content online going forwards.

Hopefully we can do this cooperatively. If we are unable to get Mr Bernard to cooperate, we may need to consider a COP application – but that is last resort territory.

Can you let me know what has happened with the assessment? It might be worth adding in an additional question about capacity to make decisions around posting content online, if the report/observation is not already complete.

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Friday, 16 September 2022 at 09:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Goodness. This is a first. Well done for spotting it.

Where are we up to with the capacity assessment for the client?

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35

To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

External

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Alice Irving
Sent: 22 August 2022 20:32:16
To: Emily Black
Subject: Re: Oliver Bernard

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Hi Emily,

Lovely to meet you today.

Just to follow up after the meeting, as discussed, I have concerns as to the client's litigation capacity. He may have capacity, but there are sufficient factors present that give me cause to be concerned such that I believe he should be formally assessed. These include:

- Some of the allegations involve unusual behaviour that may be linked to mental health difficulties.
- The multi-disciplinary meeting resulted in a decision to refer the client for a mental health assessment, because of concerns his mental health had deteriorated, but the client did not engage.
- The client today confirmed he was not taking his anti-psychotic medications, although it was very unclear whether he had stopped taking these about six months ago or only much more recently when he was unable to obtain a repeat prescription.
- The client confirmed that he is currently hearing voices who talk to him about the case.
- The client was at times not particularly coherent, talking about various biblical passages and other books, Lucifer playing tricks on him etc. However, when it was possible to bring the client back to focus, he did seem to be able to engage.

It was positive the client seemed willing to engage in an assessment. It seems the client does have injunction capacity as he was clear as to the terms of the injunction and does appear to have been complying with it.

We need to flag to the other side ASAP (once we've confirmed with the client this is what will happen) that we have capacity concerns and are seeking an assessment and as such will be seeking directions to this effect at the hearing on Wednesday. Unfortunately, I don't think we are likely to be able to manage this by consent order, as I doubt they will agree to reducing the scope of the interim injunction and I think we should at least try this. We could ask them if they will agree to the POA being removed from para 2 of the injunction, on the basis this does not meet the test in s.4 ASBCPA 2014.

As discussed, please send me briefly notes on the steps taken to date to obtain the client's medical records.

Thanks for all your assistance.

Kind regards,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 19 August 2022 at 14:20
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi Alice,

Thanks, Mr Bernard has confirmed that he can attend at 4pm on Monday.

I've attached the two assessment documents that I have.

I haven't taken instructions re current alcohol or drug use – perhaps we can approach this on Monday.

I have viewed the CCTV footage all the way through in that I have skipped through it to determine that nothing happens outside of the pinpointed hours – but not watched it second by second.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 19 August 2022 13:46
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Thank you for your call.

I appreciate this is a finely balanced case and it is useful for me to meet the client in person.

Can I follow up below on the reference to the June 2022 Care Act assessment which I don't have a copy of I don't think? That would assist me.

Kind regards,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Thursday, 18 August 2022 at 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

- Given this, I think that ethically we are required to raise with the court, and flag to other side, that we have concerns as to our client's litigation capacity. Further steps should not be taken in these proceedings until the issue of capacity is determined (see CPR 21.3). We should invite the other side to agree to a further adjournment to allow us to instruct an expert to assess our client. Do you have someone you usually work with? How long do they generally take? That should inform the proposed length of adjournment.

- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

- As we are going to need an expert report on capacity, we should also have this cover the ground we need for any potential disability discrimination defence in relation to the ASBI application. Further, I understand there are parallel possession proceedings. Ideally we would also cover any issues arising in that context, to try to make sure we get the most out of instructing the expert we can. Please do send a LOI to me to review prior to providing to the expert. Please note that I am on leave from 29 August – 12 September.

Otherwise:

- Have we asked the client whether he is currently using alcohol, or any other drugs? This seems to have been a prior trigger for behavioural issues. This would of course complicate the position in relation to any disability discrim defence.

- My instructions refer to a Care Act assessment from June 2022, but I don't seem to have a copy of the same. Please can you send this over.

- Have you viewed the CCTV footage in full, such that I only need to view the pinpoint references you have given in instructions, or is it necessary for me to view all of the footage? If someone has already reviewed the footage in full and you are satisfied I do not need to, that will save the LAA money. If it needs reviewing in full, let me know.

Let me know if you have any questions arising.

Kind regards,
Alice

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From: Alice Irving
Sent: 23 August 2022 17:28:21
To: Emily Black
Subject: Re: Oliver Bernard

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Hi Emily,

Thanks for the really thorough information about experts. That's helpful for pitching for timescales.

No worries about not hearing back today. Ideally I should have been decisive and just got his permission yesterday at the meeting, but I wanted a chance to discuss with you first.

I'll do a skele overnight and bring it along covering the law on capacity etc so we can hand it in in person.

See you tomorrow AM!

Alice.

From: Emily Black <Emily.Black@tvedwards.com>
Date: Tuesday, 23 August 2022 at 16:08
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi again Alice,

I wrote to Mr Bernard setting out what we decided after the meeting yesterday. As we discussed I asked him if he was happy for me to pass this on to his landlord as we need to let them know what we will be asking for at the hearing.

Unfortunately I've not received any instructions back from him. My supervisor has suggested I don't chase him as it may rock the boat again before tomorrow.

As such, I think it will be left for you to raise this with their barrister before the hearing tomorrow. Sorry if that makes things more difficult for you.

It would also be good to see if they have an update regarding alternative accommodation.

I have today received client's records from PCSE. Nothing from SLaM as yet.

I have got the below timescales for an expert report from the company we usually use, Expert in Mind:

- Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.
- Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.
- Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 08:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

Hi Alice,

Lovely to meet you too!

Thanks for this. I'll write to client and then the other side today. I'll make some enquiries of experts we regularly use.

Steps taken to obtain medical records:

- 14/07 I wrote to Thornton Heath Medical Practice requesting medical records – client had instructed this was his GP surgery;
- 14/07 Thornton Heath Medical Practice responded to say client was no longer registered at that surgery;
- 26/07 I made a SAR with Primary Care Support England (PCSE - apparently this is who holds medical records for individuals who are not registered with a GP);
- 27/07 I wrote to South London and Maudsley (SLaM) NHS Trust requesting the records they hold for the client as he is known to them;
- 29/07 SLaM responded to confirm receipt of my request;
- 04/08 PCSE responded to say they have received my application, there then needs to be a decision on disclosure and then four weeks to get the records;
- 11/08 I chased SLaM;
- 12/08 SLaM responded to say that there's been a nation systems outage so experiencing technical issues with their clinical system and causing a delay in processing requests.

I will chase both PSCSE and SLaM now.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 22 August 2022 20:32
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

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this effect at the hearing on Wednesday. Unfortunately, I don't think we are likely to be able to manage this by consent order, as I doubt they will agree to reducing the scope of the interim injunction and I think we should at least try this. We could ask them if they will agree to the POA being removed from para 2 of the injunction, on the basis this does not meet the test in s.4 ASBCPA 2014.

As discussed, please send me briefly notes on the steps taken to date to obtain the client's medical records.

Thanks for all your assistance.

Kind regards,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 19 August 2022 at 14:20
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi Alice,

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I've attached the two assessment documents that I have.

I haven't taken instructions re current alcohol or drug use – perhaps we can approach this on Monday.

I have viewed the CCTV footage all the way through in that I have skipped through it to determine that nothing happens outside of the pinpointed hours – but not watched it second by second.

Kind regards,

Emily

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 19 August 2022 13:46
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Thank you for your call.

I appreciate this is a finely balanced case and it is useful for me to meet the client in person.

Can I follow up below on the reference to the June 2022 Care Act assessment which I don't have a copy of I don't think? That would assist me.

Kind regards,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Thursday, 18 August 2022 at 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

- Given this, I think that ethically we are required to raise with the court, and flag to other side, that we have concerns as to our client's litigation capacity. Further steps should not be taken in these proceedings until the issue of capacity is determined (see CPR 21.3). We should invite the other side to agree to a further adjournment to allow us to instruct an expert to assess our client. Do you have someone you usually work with? How long do they generally take? That should inform the proposed length of adjournment.

- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

- As we are going to need an expert report on capacity, we should also have this cover the ground we need for any potential disability discrimination defence in relation to the ASBI application.

Further, I understand there are parallel possession proceedings. Ideally we would also cover any issues arising in that context, to try to make sure we get the most out of instructing the expert we can. Please do send a LOI to me to review prior to providing to the expert. Please note that I am on leave from 29 August – 12 September.

Otherwise:

- Have we asked the client whether he is currently using alcohol, or any other drugs? This seems to have been a prior trigger for behavioural issues. This would of course complicate the position in relation to any disability discrim defence.

- My instructions refer to a Care Act assessment from June 2022, but I don't seem to have a copy of the same. Please can you send this over.

- Have you viewed the CCTV footage in full, such that I only need to view the pinpoint references you have given in instructions, or is it necessary for me to view all of the footage? If someone has already reviewed the footage in full and you are satisfied I do not need to, that will save the LAA money. If it needs reviewing in full, let me know.

Let me know if you have any questions arising.

Kind regards,
Alice

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From: Alice Irving
Sent: 23 August 2022 20:33:09
To: Emily Black
Subject: Re: Oliver Bernard
Attachments: Bernard - Skeleton Argument - 24 August 2022.docx

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Hi Emily,

Please find attached the skele for tomorrow, FYI. Unfortunately we're listed before DJ Naidoo who made the original interim injunction, so we might struggle to get that varied.

All best,
Alice

From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Tuesday, 23 August 2022 at 17:28
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

Hi Emily,

Thanks for the really thorough information about experts. That's helpful for pitching for timescales.

No worries about not hearing back today. Ideally I should have been decisive and just got his permission yesterday at the meeting, but I wanted a chance to discuss with you first.

I'll do a skele overnight and bring it along covering the law on capacity etc so we can hand it in in person.

See you tomorrow AM!

Alice.

From: Emily Black <Emily.Black@tvedwards.com>
Date: Tuesday, 23 August 2022 at 16:08
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi again Alice,

I wrote to Mr Bernard setting out what we decided after the meeting yesterday. As we discussed I asked him if he was happy for me to pass this on to his landlord as we need to let them know what we will be asking for at the hearing.

Unfortunately I've not received any instructions back from him. My supervisor has suggested I don't chase him as it may rock the boat again before tomorrow.

As such, I think it will be left for you to raise this with their barrister before the hearing tomorrow. Sorry if that makes things more difficult for you.

It would also be good to see if they have an update regarding alternative accommodation.

I have today received client's records from PCSE. Nothing from SLaM as yet.

I have got the below timescales for an expert report from the company we usually use, Expert in Mind:

- Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.
- Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.
- Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 08:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

Hi Alice,

Lovely to meet you too!

Thanks for this. I'll write to client and then the other side today. I'll make some enquiries of experts we regularly use.

Steps taken to obtain medical records:

- 14/07 I wrote to Thornton Heath Medical Practice requesting medical records – client had instructed this was his GP surgery;
- 14/07 Thornton Heath Medical Practice responded to say client was no longer registered at that surgery;
- 26/07 I made a SAR with Primary Care Support England (PCSE - apparently this is who holds medical records for individuals who are not registered with a GP);
- 27/07 I wrote to South London and Maudsley (SLaM) NHS Trust requesting the records they hold for the client as he is known to them;
- 29/07 SLaM responded to confirm receipt of my request;
- 04/08 PCSE responded to say they have received my application, there then needs to be a decision on disclosure and then four weeks to get the records;
- 11/08 I chased SLaM;
- 12/08 SLaM responded to say that there's been a nation systems outage so experiencing technical issues with their clinical system and causing a delay in processing requests.

I will chase both PSCSE and SLaM now.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 22 August 2022 20:32
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Lovely to meet you today.

Just to follow up after the meeting, as discussed, I have concerns as to the client's litigation capacity. He may have capacity, but there are sufficient factors present that give me cause to be concerned such that I believe he should be formally assessed. These include:

- Some of the allegations involve unusual behaviour that may be linked to mental health difficulties.
- The multi-disciplinary meeting resulted in a decision to refer the client for a mental health assessment, because of concerns his mental health had deteriorated, but the client did not engage.

- The client today confirmed he was not taking his anti-psychotic medications, although it was very unclear whether he had stopped taking these about six months ago or only much more recently when he was unable to obtain a repeat prescription.
- The client confirmed that he is currently hearing voices who talk to him about the case.
- The client was at times not particularly coherent, talking about various biblical passages and other books, Lucifer playing tricks on him etc. However, when it was possible to bring the client back to focus, he did seem to be able to engage.

It was positive the client seemed willing to engage in an assessment. It seems the client does have injunction capacity as he was clear as to the terms of the injunction and does appear to have been complying with it.

We need to flag to the other side ASAP (once we've confirmed with the client this is what will happen) that we have capacity concerns and are seeking an assessment and as such will be seeking directions to this effect at the hearing on Wednesday. Unfortunately, I don't think we are likely to be able to manage this by consent order, as I doubt they will agree to reducing the scope of the interim injunction and I think we should at least try this. We could ask them if they will agree to the POA being removed from para 2 of the injunction, on the basis this does not meet the test in s.4 ASBCPA 2014.

As discussed, please send me briefly notes on the steps taken to date to obtain the client's medical records.

Thanks for all your assistance.

Kind regards,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 19 August 2022 at 14:20
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

> External

Hi Alice,

Thanks, Mr Bernard has confirmed that he can attend at 4pm on Monday.

I've attached the two assessment documents that I have.

I haven't taken instructions re current alcohol or drug use – perhaps we can approach this on Monday.

I have viewed the CCTV footage all the way through in that I have skipped through it to determine that nothing happens outside of the pinpointed hours – but not watched it second by second.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 19 August 2022 13:46
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

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I appreciate this is a finely balanced case and it is useful for me to meet the client in person.

Can I follow up below on the reference to the June 2022 Care Act assessment which I don't have a copy of I don't think? That would assist me.

Kind regards,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Thursday, 18 August 2022 at 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

- Given this, I think that ethically we are required to raise with the court, and flag to other side, that we have concerns as to our client's litigation capacity. Further steps should not be taken in these proceedings until the issue of capacity is determined (see CPR 21.3). We should invite the other side to agree to a further adjournment to allow us to instruct an expert to assess our client. Do you have someone you usually work with? How long do they generally take? That should inform the proposed length of adjournment.

- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

- As we are going to need an expert report on capacity, we should also have this cover the ground we need for any potential disability discrimination defence in relation to the ASBI application. Further, I understand there are parallel possession proceedings. Ideally we would also cover any issues arising in that context, to try to make sure we get the most out of instructing the expert we can. Please do send a LOI to me to review prior to providing to the expert. Please note that I am on leave from 29 August – 12 September.

Otherwise:

- Have we asked the client whether he is currently using alcohol, or any other drugs? This seems to have been a prior trigger for behavioural issues. This would of course complicate the position in relation to any disability discrim defence.

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Let me know if you have any questions arising.

Kind regards,
Alice

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From: Alice Irving
Sent: 24 August 2022 13:14:34
To: Clerkenwell & Shoreditch, Enquiries
Cc: Jamie Fireman;Emily Black
Subject: J01EC769 - Lambeth v Bernard - Minute of Order 24.08.22
Attachments: J01EC769 - Lambeth v Bernard - Minute of Order - 24.08.22.docx
Importance: High

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

To Whom It May Concern,

Please find attached the minute of order in this matter following this morning's hearing before DJ Naidoo. The order has been approved by counsel for the Claimant.

Kind regards,

Alice Irving
(Counsel for the Defendant)

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Alice Irving
Sent: 24 August 2022 13:22:17
To: dj.maya.naidoo@ejudiciary.net
Cc: jamie.fireman@42br.com;Emily Black
Subject: FW: J01EC769 - Lambeth v Bernard - Minute of Order 24.08.22
Attachments: J01EC769 - Lambeth v Bernard - Minute of Order - 24.08.22.docx

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Dear Judge,

Please see below. My learned friend, Mr Fireman, has kindly provided me with your direct email address. Forgive me if this is presumptuous to send the order directly.

Kind regards,
Alice Irving

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Wednesday, 24 August 2022 at 13:14
To: Clerkenwell & Shoreditch, Enquiries

<enquiries.clerkenwellandshoreditch.countycourt@justice.gov.uk>
Cc: Jamie Fireman <Jamie.Fireman@42br.com>, Emily Black <Emily.Black@tvedwards.com>
Subject: J01EC769 - Lambeth v Bernard - Minute of Order 24.08.22

To Whom It May Concern,

Please find attached the minute of order in this matter following this morning's hearing before DJ Naidoo. The order has been approved by counsel for the Claimant.

Kind regards,

Alice Irving
(Counsel for the Defendant)

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From: Alice Irving
Sent: 26 August 2022 14:39:47
To: Emily Black
Subject: FW: Lambeth v Bernard
Attachments: FW: J01EC769 : London Borough of Lambeth v Oliver Bernard - NEW EX-PARTE INJUNCTION REQUEST

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FYI.

From: Jamie Fireman <Jamie.Fireman@42br.com>
Date: Thursday, 25 August 2022 at 16:52
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Re: Lambeth v Bernard

External

Hi Alice

Further to yesterday's hearing I have spoken to my colleague about your request for a note from the initial ex parte hearing in this matter.

I am informed that the only electronic note available from the hearing is in the form of the e-mail he sent to my instructing solicitor. Obviously, as you are entitled to a note of what went on, he is content for this to be disclosed to you. I am informed that everything else is recorded within the order itself.

Hopefully you are in a position to piece everything together now regardless, but as you requested it, I thought I would pass this on.

Best,

Jamie

Jamie Fireman
Barrister
42 Bedford Row,
London,
WC1R 4LL
DX: 201 London

Tel: 020 7831 0222

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APIL Annual Clinical Negligence Conference
20-22 September 2022
Celtic Manor Resort, Newport, South Wales.

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Wednesday, 24 August 2022 at 13:21
To: Jamie Fireman <Jamie.Fireman@42br.com>
Subject: Re: Lambeth v Bernard

Thanks Jamie. Will do.

From: Jamie Fireman <Jamie.Fireman@42br.com>
Date: Wednesday, 24 August 2022 at 13:18
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Re: Lambeth v Bernard

External

Sorry, should also have said. I have the DJ's e-mail address if you want to forward to her:

dj.maya.naidoo@ejudiciary.net

Jamie Fireman
Barrister
42 Bedford Row,
London,
WC1R 4LL
DX: 201 London

Tel: 020 7831 0222

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From: Jamie Fireman <Jamie.Fireman@42br.com>
Date: Wednesday, 24 August 2022 at 13:14
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Re: Lambeth v Bernard

Thanks!

From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Wednesday, 24 August 2022 at 13:12
To: Jamie Fireman <Jamie.Fireman@42br.com>
Subject: Re: Lambeth v Bernard

Hi Jamie,

No problem. Sorry only to hand it up this morning. Please find attached.

Alice

From: Jamie Fireman <Jamie.Fireman@42br.com>
Date: Wednesday, 24 August 2022 at 13:04
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Re: Lambeth v Bernard

> External

Also Alice, sorry to ask but the scanner in chambers is playing up. Is it possible to have an electronic copy of your skele?

Jamie Fireman
Barrister
42 Bedford Row,
London,
WC1R 4LL
DX: 201 London

Tel: 020 7831 0222

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From: Jamie Fireman <Jamie.Fireman@42br.com>
Date: Wednesday, 24 August 2022 at 12:50
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Re: Lambeth v Bernard

Thanks for drafting Alice. Happy with it. I just amended the date as it is 24 August today.

Best,

Jamie

From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Wednesday, 24 August 2022 at 12:34
To: Jamie Fireman <Jamie.Fireman@42br.com>
Subject: Lambeth v Bernard

Dear Jamie,

Please find attached draft order for your review. Let me know if there are any comments, then I'll send on to the enquiries email.

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Alice Irving
Sent: 27 August 2022 15:48:41
To: Emily Black
Subject: Re: Bernard LOI
Attachments: DRAFT Letter of Instruction_AI edits.doc

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Hi Emily,

Please find attached with track changes 😊

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

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From: Emily Black <Emily.Black@tvedwards.com>
Date: Wednesday, 24 August 2022 at 17:52
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard LOI

External

Hi Alice,

Please find draft attached.

You'll see that the background re proceedings and medical history has not been completed yet. I thought it was important to get this to you today so you could make any comments on the legal framework and specific questions we're asking him, hopefully so I can finalise and send out to Dr Suleman next week.

Have confirmed appt with Dr Suleman for 7 October.

Thanks!

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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This email has been scanned for viruses and malware.

From: Alice Irving
Sent: 28 September 2022 09:11:28
To: Emily Black
Subject: Re: Bernard

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Hi Emily,

Yes I'll make sure I come back on this today 😊

Might see you shortly.

Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Wednesday, 28 September 2022 at 09:10
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

Hi Alice,

Appreciate you're swamped this morning but would you have time to get back to me on the below this afternoon? I'm on annual leave after today not returning until 11 Oct, so hoping to get the updated question out to the expert today.

FYI have not heard back from our senior partner yet re the videos.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 22 September 2022 15:43
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

Hi Alice,

Videos still up despite my letter. One of the senior partners at the firm is having a look into this today so will let you know what she says.

Re the further question to the expert, thinking something as follows within the capacity question 3:

c. Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use and weigh the consequences of doing so i.e. posting content online can be viewed by anybody and not just those who he sends the link to (including strangers), that personal information about himself and others could be shared with strangers, and that other people in the content he is posting online may not consent to their image being posted online.

Frustratingly, Dr Suleman is no longer able to do a face-to-face appointment on 7 October. They offered Zoom, but I explained that Mr Bernard would benefit from in-person and that's one of the reasons we instructed Dr Suleman. They've offered face-to-face at 5:45pm on 10 October instead. Mr Bernard had previously not been keen for an evening appointment, but I'll run this one by him and see what he says. Difficult as he's already been expressing that he doesn't want to attend the appointment. He may actually be more likely to attend if it's on Zoom.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:35
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily

Thank you for this update.

I am going to have to talk to colleagues about what to do if the videos do not come down. Well done getting some progress.

Have a crack at adding a question on capacity to make decisions around the videos, and I will review.

Thanks for this… what a mess.

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 14:32
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

Hi Alice,

Thanks for this. I have spoken with Mr Bernard further, he agreed to make them private but not remove them. Some have gone but as you say, some are still there.

I'm just drafting a letter to him now about it. I will include as you say about it being potentially bad for his case, and ask him to remove them within 24 hours.

The assessment is due to take place on 7 October. I do have concerns about Mr Bernard attending as the more time that passes the more reluctant he is. He is regularly mentioning us having "ulterior motives" for wanting to get the assessment. I am going to send him a separate letter today to set out again why the assessment is important to his case.

Given it's not until the 7 October, I can send over the additional capacity question you mention.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
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provided, DO NOT transfer any money and speak to us as soon as possible. DO NOT transfer any money to us without first calling to confirm the transaction. We can accept NO LIABILITY for monies transferred to incorrect bank accounts.

From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:01
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily,

My last check the videos are still up.

Have you had any further conversations or correspondence with Mr Bernard? I think if we can try to get him to cooperate to take them down that is best, on the basis that if he didn't post them, and we tell him it is bad for his case for his private conversations with his lawyers to be online and accessible, then he will hopefully agree to access his account and take them down.

If he will not agree to take them down, then I think we need to consider notifying YouTube to see if we can have them take the content down. I have not had a chance to check over what else is on the channel, but we need to see if there is anything else there that is potentially prejudicial to the case and to talk to Mr Bernard about not putting content online going forwards.

Hopefully we can do this cooperatively. If we are unable to get Mr Bernard to cooperate, we may need to consider a COP application – but that is last resort territory.

Can you let me know what has happened with the assessment? It might be worth adding in an additional question about capacity to make decisions around posting content online, if the report/observation is not already complete.

All best,
Alice

Alice Irving
Barrister
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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Friday, 16 September 2022 at 09:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Goodness. This is a first. Well done for spotting it.

Where are we up to with the capacity assessment for the client?

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

> External

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black

Solicitor

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From: Alice Irving
Sent: 28 September 2022 16:14:34
To: Emily Black
Subject: Re: Bernard

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Hi Emily

Nice to see you today. I caught up with Sarah at chambers – frustrating outcome.

In terms of the below:

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks!

Have a lovely break x

Al

From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Wednesday, 28 September 2022 at 09:11
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Yes I'll make sure I come back on this today 😊

Might see you shortly.

Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Wednesday, 28 September 2022 at 09:10
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

> External

Hi Alice,

Appreciate you're swamped this morning but would you have time to get back to me on the below this afternoon? I'm on annual leave after today not returning until 11 Oct, so hoping to get the updated question out to the expert today.

FYI have not heard back from our senior partner yet re the videos.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 22 September 2022 15:43
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

Hi Alice,

Videos still up despite my letter. One of the senior partners at the firm is having a look into this today so will let you know what she says.

Re the further question to the expert, thinking something as follows within the capacity question 3:

c. Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use and weigh the consequences of doing so i.e. posting content online can be viewed by anybody and not just those who he sends the link to (including strangers), that personal information about himself and others could be shared with strangers, and that other people in the content he is posting online may not consent to their image being posted online.

Frustratingly, Dr Suleman is no longer able to do a face-to-face appointment on 7 October. They offered Zoom, but I explained that Mr Bernard would benefit from in-person and that's one of the reasons we instructed Dr Suleman. They've offered face-to-face at 5:45pm on 10 October instead. Mr Bernard had previously not been keen for an evening appointment, but I'll run this one by him and see what he says. Difficult as he's already been expressing that he doesn't want to attend the appointment. He may actually be more likely to attend if it's on Zoom.

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Emily

Emily Black

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:35
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily

Thank you for this update.

I am going to have to talk to colleagues about what to do if the videos do not come down. Well done getting some progress.

Have a crack at adding a question on capacity to make decisions around the videos, and I will review.

Thanks for this… what a mess.

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 14:32
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

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I'm just drafting a letter to him now about it. I will include as you say about it being potentially bad for his case, and ask him to remove them within 24 hours.

The assessment is due to take place on 7 October. I do have concerns about Mr Bernard attending as the more time that passes the more reluctant he is. He is regularly mentioning us having "ulterior motives" for wanting to get the assessment. I am going to send him a separate letter today to set out again why the assessment is important to his case.

Given it's not until the 7 October, I can send over the additional capacity question you mention.

Kind regards,

Emily

Emily Black

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:01
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily,

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Have you had any further conversations or correspondence with Mr Bernard? I think if we can try to get him to cooperate to take them down that is best, on the basis that if he didn't post them, and we tell him it is bad for his case for his private conversations with his lawyers to be online and accessible, then he will hopefully agree to access his account and take them down.

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Can you let me know what has happened with the assessment? It might be worth adding in an additional question about capacity to make decisions around posting content online, if the report/observation is not already complete.

All best,
Alice

Alice Irving
Barrister
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Date: Friday, 16 September 2022 at 09:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Goodness. This is a first. Well done for spotting it.

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All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

> External

Hi Alice,

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Kind regards,

Emily

Emily Black

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From: capita@financialassessments.co.uk
Sent: 15 July 2022 15:13:08
To: Emily Black
Subject: Case Reference PCE5363668
Importance: High

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Your application for assistance has been saved in its incomplete state and has been assigned the above case reference. Please note that until you return and fully complete your application it will not be processed further.

Should you wish to return to complete the remainder of the form you should:

1. Revisit our website via the link below:

https://enquiries.pcse.england.nhs.uk/LocalWelfareAssistance/Home/Redirector/Index/?id=bd479705-149d-4217-a026-e719f972236b&mod=OA&iparams=5bhOn/as1NA+K2AFeTpcGSg6lxb+7BxCgSDSnOylKQDl1Ka6MC2OIDYNwVcq2gtF&casetype=PCE&formname=SUBACCREQ

2. Resume your application by entering the Case reference (provided in the Subject title above) and your chosen Password provided when you first saved the form.
3. Complete all remaining questions, confirm the details on the Declaration page and 'Submit' your application.

Please Note: Incomplete applications are only kept on our records for a limited amount of time and hence you should return at the earliest opportunity possible to complete the details. Should you fail to do so and your original application has been removed then you would need to commence a new application.

Further details on getting help or advice can be found on our website by following the above link.

From: Caroline Bird
Sent: 07 October 2022 13:59:52
To: Justine Ghata-Aura;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard
Attachments: Mimecast Large File Send Instructions

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I'm using Mimecast to share large files with you. Please see the attached instructions.

Dear Shyann,

Please find the additional medical records attached.

Thank you,
Caroline Bird

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 06 October 2022 16:46
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Caroline,

Thank you for the update.

I am on annual leave tomorrow, but my colleague Shyann will be in the office.

Many thanks
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 +44 (0) 1424 234 625
justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.
Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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Please consider the environment before printing this email. Not only will this cut paper use, waste and clutter, it will also reduce expense and help to safeguard important information from getting into the wrong hands
Please note that any documents received in hard copy will be scanned and stored securely in our system while the hard copies are securely destroyed.

From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 06 October 2022 16:27
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

These have just been received this afternoon. I am currently considering them and will pass them on as soon as possible but given the volume, this is likely to be tomorrow.

Thank you,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 06 October 2022 16:21
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear all,

I hope you are well.

I'd be grateful for an update regarding the client's additional medical records.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Civil/Civ Libs And Housing Clerks
Sent: 25 July 2022 15:55:55
To: Emily Black
Subject: Re: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

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Dear Emily,
Many thanks for your email.
I could have these counsel available to assist:

- Angharad Monk;
- Matthew Ahluwalia;
- Sophie Caseley

Please let me know who you would like to instruct.
Best wishes,
Eidvile

Civil/Civ Libs And Housing Clerks,

57-60 Lincoln's Inn Fields, London, WC2A 3LJ
DX: 34 London Chancery Lane
Twitter: @GardenCourtLaw @GardenCtPublic @GCCHousing @GCCCivillibs
Switchboard: 020 7993 7600 | Direct Tel:

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 25 July 2022 14:21
To: Civil/Civ Libs And Housing Clerks <civillibsandhousingclerks@gclaw.co.uk>
Subject: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

Dear Clerks,

We are representing the Defendant in these proceedings. We have a substantive public funding certificate in place.

There is currently an ASBI with power of arrest dated 18 May 2022 against Mr Bernard. A hearing has been listed for 11:30am on 24 August 2022 at Clerkenwell & Shoreditch. The hearing is to consider whether or not the injunction should remain in place and to reconsider the Claimant's application for an exclusion order.

Do you have anybody available to assist?

Thank you in advance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Clerkenwell & Shoreditch, Enquiries
Sent: 23 August 2022 14:34:21
To: Emily Black
Subject: Auto Reply

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Thank you for your email, which has been received by the court. Please allow 15 days before you contact the Court again.

You may receive a direct reply via email or in writing depending on the nature of the query.

Please note that from **24th August 2020** legal professionals must make Financial Remedy consent applications using the Online Financial Remedy consent order service. To register for this service ('My HMCTS') and to find further information, please visit the following link: https://www.gov.uk/guidance/hmcts-online-services-for-legal-professionals

The practice direction to support this change (PD36T) will be issued on 24th August 2020 and makes temporarily modifications to PD41B. This makes the use of the online system mandatory for consent applications where the applicant is legally represented, unless one of the following exceptions applies:

- The application is for a Variation order
- There are existing Financial Remedy Proceedings
- The matter is a Civil Partnership or Judicial Separation case

If one of the above exceptions applies, you should issue your application via paper.

Legal Professionals can also use the MyHMCTS service to issue divorce and Probate proceedings.

PLEASE NOTE: Parties must comply with the provisions of Civil Procedure Rule 39.8 when communicating with the Court Office for such communication will be returned.

Please follow the rule 39.8, information can be found on the link below.

https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part39#com

The rest of this automated message provides information that customers often find useful.

With the exception of Trial Bundles, or large page items please do not send hard copies of emails as this can lead to duplication of work and processing.

It is helpful to the court if your subject line in all emails contains the Case number, hearing date and a brief description of the type of application/hearing.

PLEASE NOTE THE COURT ARE UNABLE TO PRINT EMAILS WITH ATTACHMENTS THAT EXCEED 50MB

Website links

Further details about this county court, such as direct telephone lines, can be found by typing in the court name at:

http://www.hmcourts-service.gov.uk/HMCSCourtFinder

Court forms can be obtained from the HMCS website (please select 'County Court' from the drop down menu):

http://www.hmcourts-service.gov.uk/HMCSCourtFinder/FormFinder.do

For information on court fees go to:

http://www.hmcourts-service.gov.uk/infoabout/fees/index.htm

Issuing a claim for Money or Possession of Property – MCOL & PCOL

If you would like to issue a claim for money or property you can do so 24 hours a day, 7 days a week by visiting:

www.moneyclaim.gov.uk or
www.possessionclaim.gov.uk

You will save £50 by issuing a claim for possession of property online rather than sending it to the court.

The fees for issuing a money claim are also cheaper, with savings ranging from £5 to £30 depending on the sum you are claiming.

Legal Advice

If you are uncertain how to proceed, the Civil Procedure Rules available on the Ministry of Justice website - http://www.justice.gov.uk – provide details. On many occasions it is best for people to seek professional legal advice from a solicitor, legal executive, legal advice agency or Citizens Advice Bureau. You can also contact Community Legal Advice for free legal advice on 0845 345 4 345 or via their website at http://www.communitylegaladvice.org.uk/

Here is how HMCTS uses personal data about you

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From: Dixon-Baker, Christine
Sent: 06 October 2022 12:42:39
To: Caroline Bird
Cc: Graham, Murlyn;Thomas, Marcia
Subject: Fw: Olivia Bernard Data Protection request

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Dixon-Baker, Christine has shared a OneDrive for Business file with you. To view it, click the link below.

CORRESPONDENCE - 2.zip

Dear Caroline
Forwarding information as requested.
Thank you
Christine Dixon-Baker
Team Administrator
Lambeth Short Term Support Service - South West Locality
South London & Maudsley NHS Foundation Trust
380 Streatham High Road
London SW16 6HP
Tel: 020 3228 8100
Team Email:-LambethSWSTS@slam.nhs.uk

From: Graham, Murlyn <Murlyn.Graham@slam.nhs.uk>
Sent: 29 September 2022 16:54
To: Emily Black <emily.black@tvedwards.com>
Cc: Thomas, Marcia <Marcia.Thomas@slam.nhs.uk>; Dixon-Baker, Christine <Christine.Dixon-Baker@slam.nhs.uk>
Subject: Olivia Bernard Data Protection request

Dear Emily
I hope all is well with you, sorry for the delay in sending this. Please find enclosed the information you requested for the above client.
Please do not hesitate to us should you require further information.
Kind regards
MG

Murlyn Graham
Receptionist
Lambeth South West Focussed & Short Term Support Team

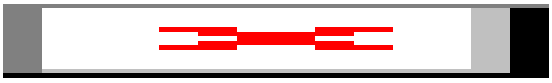
South London and Maudsley NHS Foundation Trust
Gracefield Gardens Health Centre
2-8 Gracefield Gardens, London, SW16 2ST
Telephone: 020 3228 8100 Internal: 88157
Work Mobile: 07734 371 280
email: murlyn.graham@slam.nhs.uk

020 3228 6000 The switchboard number for SLaM Mental health matters - Click if you care

Lambeth Single Point of Access (SPA) - Website: https://lambethtogether.net/living-well-network-alliance/get-help/lambeth-single-point-of-access/

Continue to Stay Safe

South London and Maudsley NHS Foundation Trust (SLaM) provides mental health and substance misuse services for people living in the London Boroughs of Croydon, Lambeth, Southwark and Lewisham. In addition, the Trust provides substance misuse services for people in the London Boroughs of Bexley, Greenwich and Bromley, as well as specialist services to people from across the UK.



From: Domain postMaster address
Sent: 10 October 2022 09:23:18
To: Caroline Bird
Subject: The files you sent were downloaded

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The large files you sent were downloaded

Justine@expertinmind.co.uk accessed them on Oct 10 2022 09:23.

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From: Eidvile Banionyte
Sent: 23 August 2022 09:23:42
To: Emily Black
Subject: 268368 - LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August [C: 268368][B:MAL][GARDENCOURT]

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Dear Emily,

I hope all is well.

I wanted to check in to see whether counsel's assistance for this will be required?

Best wishes,
Eidvile

Sent from Mail for Windows

Eidvile Banionyte, Deputy Civil Practice Manager
Garden Court Chambers
57-60 Lincoln's Inn Fields, London, WC2A 3LJ
DX: 34 London Chancery Lane
Twitter: @GardenCourtLaw @GardenCtPublic @GCCHousing @GCCCivillibs
Switchboard: 020 7993 7600 | Direct Tel: 020 7993 7632
My Profile: https://www.gardencourtchambers.co.uk/clerks-and-staff/eidvile-banionyte

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From: Eidvile Banionyte
Sent: 23 August 2022 11:42:08
To: Emily Black
Subject: RE: 268368 - LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August [C: 268368][B:MAL][GARDENCOURT]

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Sorry, maybe I was not clear, no one was booked, simply pencilled in.

Thank you for confirming.

Best,
Eidvile

Eidvile Banionyte, Deputy Civil Practice Manager
Garden Court Chambers
57-60 Lincoln's Inn Fields, London, WC2A 3LJ
DX: 34 London Chancery Lane
Twitter: @GardenCourtLaw @GardenCtPublic @GCCHousing @GCCCivillibs
Switchboard: 020 7993 7600 | Direct Tel: 020 7993 7632
My Profile: https://www.gardencourtchambers.co.uk/clerks-and-staff/eidvile-banionyte

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 11:33
To: Eidvile Banionyte <eidvileb@gclaw.co.uk>
Subject: RE: 268368 - LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August [C: 268368][B:MAL][GARDENCOURT]

Dear Eidvile,

Thanks, hope all is well with you too.

Apologies – I didn't realise I had booked anyone in for this. No we don't require counsel.

Thanks for checking.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Eidvile Banionyte <eidvileb@gclaw.co.uk>
Sent: 23 August 2022 09:24
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 268368 - LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August [C: 268368][B:MAL][GARDENCOURT]

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Dear Emily,

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Best wishes,
Eidvile

Sent from Mail for Windows

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Garden Court Chambers
57-60 Lincoln's Inn Fields, London, WC2A 3LJ
DX: 34 London Chancery Lane
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From: Emily Norman
Sent: 25 July 2022 15:39:37
To: Emily Black
Subject: RE: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

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Hi Emily

Thanks for your email.

We should have Alice Irving available?

Kindest
Emily

Emily Norman
Senior Civil Practice Assistant
Message from DSC on 'Remote Working' Guidelines

E: e.norman@doughtystreet.co.uk
T: 020 7400 8897

GDPR TRAINED PROFESSIONAL

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 25 July 2022 15:25
To: Emily Norman <e.norman@doughtystreet.co.uk>
Subject: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

External

Dear Emily,

We are representing the Defendant in these proceedings. We have a substantive public funding certificate in place.

There is currently an ASBI with power of arrest dated 18 May 2022 against Mr Bernard. A hearing has been listed for 11:30am on 24 August 2022 at Clerkenwell & Shoreditch. The hearing is to consider whether or not the injunction should remain in place and to reconsider the Claimant's application for an exclusion order.

Do you have anybody available to assist?

Thank you in advance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Emily Norman
Sent: 26 July 2022 11:28:35
To: Emily Black
Subject: RE: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

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Thanks Emily, all booked for you.

Kindest
Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 26 July 2022 11:24
To: Emily Norman <e.norman@doughtystreet.co.uk>
Subject: RE: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

External

Hi Emily,

Great, please can we book Alice in.

I'll send instructions over as soon as possible but likely not until w/c 8 August.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Emily Norman <e.norman@doughtystreet.co.uk>
Sent: 25 July 2022 15:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

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Hi Emily

Thanks for your email.

We should have Alice Irving available?

Kindest
Emily

Emily Norman
Senior Civil Practice Assistant
Message from DSC on 'Remote Working' Guidelines

doughty street chambers

E: e.norman@doughtystreet.co.uk
T: 020 7400 8897

GDPR TRAINED PROFESSIONAL

London Office:
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London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 25 July 2022 15:25
To: Emily Norman <e.norman@doughtystreet.co.uk>
Subject: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

External

Dear Emily,

We are representing the Defendant in these proceedings. We have a substantive public funding certificate in place.

There is currently an ASBI with power of arrest dated 18 May 2022 against Mr Bernard. A hearing has been listed for 11:30am on 24 August 2022 at Clerkenwell & Shoreditch. The hearing is to consider whether or not the injunction should remain in place and to reconsider the Claimant's application for an exclusion order.

Do you have anybody available to assist?

Thank you in advance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Felix Pratley-Crighton
Sent: 01 September 2022 13:22:30
To: Emily Black
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you. I confirm receipt and have forwarded this to Dr Suleman's secretary.

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill on Sea, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 01 September 2022 12:06
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

I'm using Mimecast to share large files with you. Please see the attached instructions.

Dear Felix,

Please find attached the LOI and enclosures attached.

Kind regards,

Emily

From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 30 August 2022 10:53
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Thank you for your email. This has been temporarily set aside.

Do let me know when you should be able to send across the LOI.

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:

I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill on Sea, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 16:14
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thanks very much. Please can we confirm the 7 October at Dr Suleman's consulting rooms?

I will send the letter of instruction as soon as possible.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 24 August 2022 14:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email.

I have checked with the secretary. She has advised that Dr Suleman has some options:

If he needs to travel, his first appointment is 28th October

If the client can come to his consulting rooms in Lewisham, he can see them during the daytime on 7th October, or potentially sooner if the client can attend in the evening (ordinarily 5.45pm).

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 14:11
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thank you very much for this.

Please can we instruct Dr Suleman?

Please can you let me know his availability for a face-to-face assessment?

Thanks for your assistance.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 23 August 2022 13:42
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Waquas Waheed, Dr. Jan Falkowski, Dr. Ajay Bhatnagar, Dr. Pavan Chahl, Dr. Sajid Suleman and Professor Chris Fox, Psychiatrists who should be suitable to assist. I detail below their current timescales, fees and locations:

Adherence to the following timescales is based on the prompt receipt of medical records.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00

6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Felix Pratley-Crighton
Senior Administrator

***Please Note**:*
I am unavailable from 12pm onwards. If you require an urgent response during this time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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From: Felix Pratley-Crighton
Sent: 23 August 2022 13:41:38
To: Emily Black
Subject: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]
Attachments: Waheed_ Dr Waquas.pdf, Suleman_ Dr Sajid.pdf, Fox_ Professor Chris.pdf, Falkowski_ Dr Jan.pdf, Chahl_ Dr Pavan.pdf, Bhatnagar_ Dr Ajay.pdf

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VAT = £324.00

Total plus VAT = £1,944.00

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I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Felix Pratley-Crighton
Senior Administrator

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From: Felix Pratley-Crighton
Sent: 30 August 2022 10:52:31
To: Emily Black
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email. This has been temporarily set aside.

Do let me know when you should be able to send across the LOI.

Best wishes,

Felix Pratley-Crighton
Senior Administrator

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 16:14
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thanks very much. Please can we confirm the 7 October at Dr Suleman's consulting rooms?

I will send the letter of instruction as soon as possible.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
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Sent: 24 August 2022 14:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email.

I have checked with the secretary. She has advised that Dr Suleman has some options:

If he needs to travel, his first appointment is 28th October

If the client can come to his consulting rooms in Lewisham, he can see them during the daytime on 7th October, or potentially sooner if the client can attend in the evening (ordinarily 5.45pm).

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

+44 (0) 1424 444 130 felix@expertinmind.co.uk

www.expertinmind.co.uk www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill on Sea, East Sussex, TN39 5ES

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We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 14:11
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thank you very much for this.

Please can we instruct Dr Suleman?

Please can you let me know his availability for a face-to-face assessment?

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 23 August 2022 13:42
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Waquas Waheed, Dr. Jan Falkowski, Dr. Ajay Bhatnagar, Dr. Pavan Chahl, Dr. Sajid Suleman and Professor Chris Fox, Psychiatrists who should be suitable to assist. I detail below their current timescales, fees and locations:

Adherence to the following timescales is based on the prompt receipt of medical records.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during this time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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From: Graham, Murlyn
Sent: 14 September 2022 16:25:58
To: Emily Black
Cc: Thomas, Marcia;Dixon-Baker, Christine
Subject: Data Request for OB

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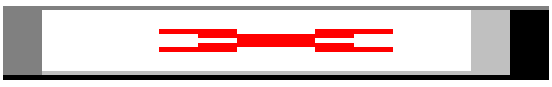
Graham, Murlyn has shared a OneDrive for Business file with you. To view it, click the link below.

Oliver Bernard(1).zip

Dear Emily
Please find enclosed the notes requested for the above patient.
Should you request further information please do not hesitate to contact us.
Kind regards
MG

Murlyn Graham
Receptionist
Lambeth South West Focussed & Short Term Support Team
South London and Maudsley NHS Foundation Trust
Gracefield Gardens Health Centre
2-8 Gracefield Gardens, London, SW16 2ST
Telephone: 020 3228 8100 Internal: 88157
Work Mobile: 07734 371 280
email: murlyn.graham@slam.nhs.uk
020 3228 6000 The switchboard number for SLaM Mental health matters - Click if you care
Lambeth Single Point of Access (SPA) - Website: https://lambethtogether.net/living-well-network-alliance/get-help/lambeth-single-point-of-access/
Continue to Stay Safe
South London and Maudsley NHS Foundation Trust (SLaM) provides mental health and substance misuse services for people living in the London Boroughs of Croydon, Lambeth, Southwark and Lewisham. In addition, the Trust provides substance misuse services for people in the London Boroughs of Bexley, Greenwich and Bromley, as well as specialist services to people from across the UK.



From: Graham, Murlyn
Sent: 29 September 2022 16:54:44
To: Emily Black
Cc: Thomas, Marcia;Dixon-Baker, Christine
Subject: Olivia Bernard Data Protection request

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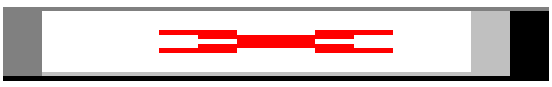
Graham, Murlyn has shared a OneDrive for Business file with you. To view it, click the link below.

CORRESPONDENCE - 2.zip

Dear Emily
I hope all is well with you, sorry for the delay in sending this. Please find enclosed the information you requested for the above client.
Please do not hesitate to us should you require further information.
Kind regards
MG

Murlyn Graham
Receptionist
Lambeth South West Focussed & Short Term Support Team
South London and Maudsley NHS Foundation Trust
Gracefield Gardens Health Centre
2-8 Gracefield Gardens, London, SW16 2ST
Telephone: 020 3228 8100 Internal: 88157
Work Mobile: 07734 371 280
email: murlyn.graham@slam.nhs.uk
020 3228 6000 The switchboard number for SLaM Mental health matters - Click if you care
Lambeth Single Point of Access (SPA) - Website: https://lambethtogether.net/living-well-network-alliance/get-help/lambeth-single-point-of-access/
Continue to Stay Safe
South London and Maudsley NHS Foundation Trust (SLaM) provides mental health and substance misuse services for people living in the London Boroughs of Croydon, Lambeth, Southwark and Lewisham. In addition, the Trust provides substance misuse services for people in the London Boroughs of Bexley, Greenwich and Bromley, as well as specialist services to people from across the UK.



From: Ian Burrow
Sent: 25 July 2022 15:31:44
To: Emily Black
Subject: FW: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

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Emily

We have Natalie Csengeri,
Eleri Griffiths
Or Daniel Grutters free.

Thanks

Ian

Ian Burrow
Senior Clerk to Chambers and Senior Civil Clerk

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Temple
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F: 0207 842 7088
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From: Clerks <Clerks@onepumpcourt.co.uk>
Sent: 25 July 2022 15:28
To: Ian Burrow <ib@onepumpcourt.co.uk>; Mycal Thomas <mt@onepumpcourt.co.uk>
Subject: FW: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

---

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 25 July 2022 15:22
To: Clerks <Clerks@onepumpcourt.co.uk>
Subject: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

Dear Clerks,

We are representing the Defendant in these proceedings. We have a substantive public funding certificate in place.

There is currently an ASBI with power of arrest dated 18 May 2022 against Mr Bernard. A hearing has been listed for 11:30am on 24 August 2022 at Clerkenwell & Shoreditch. The hearing is to consider whether or not the injunction should remain in place and to reconsider the Claimant's application for an exclusion order.

Do you have anybody available to assist?

Thank you in advance.

Kind regards,

Emily

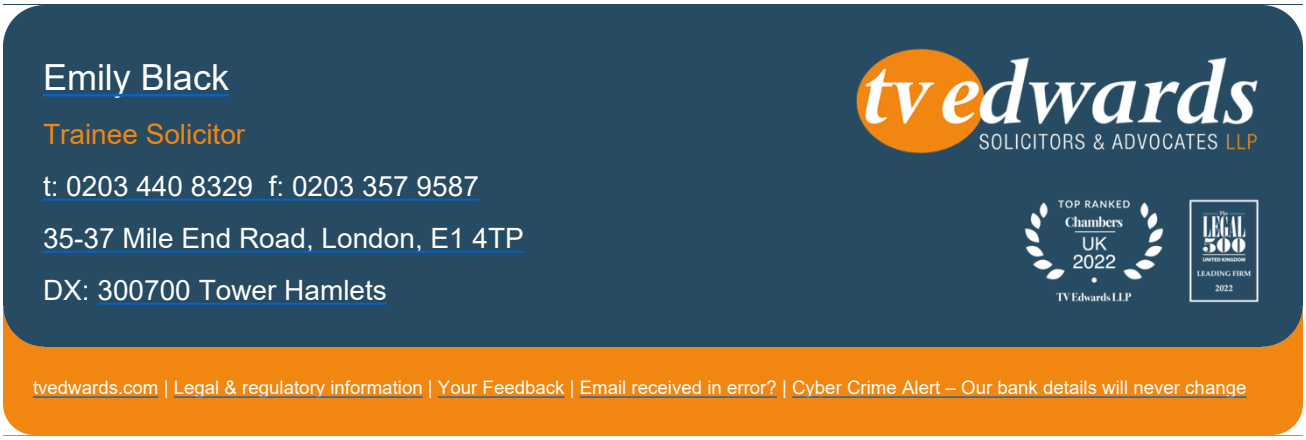
Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets



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From: Isabel Trinder
Sent: 10 August 2022 12:39:53
To: Emily Black
Subject: 24th August

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Hi Emily,

I hope you are well.

Please can I check when papers will be sent across for the hearing on the 24th of August in Alice Irving's diary?

Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guidelines

E: i.trinder@doughtystreet.co.uk
T: 0207 404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Isabel Trinder
Sent: 11 August 2022 08:37:24
To: Emily Black
Subject: RE: 24th August

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Hi Emily,

That's great, thank you for the update.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Apologies for the delay, I'll work on these instructions tomorrow and have them to you by the end of the week.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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From: Isabel Trinder
Sent: 12 August 2022 10:39:48
To: Emily Black
Subject: RE: 24th August

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Hi Emily,

Thank you for sending papers across, I can confirm safe receipt.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:44
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Please find attached brief/instructions to counsel and enclosures, to include Mr Bernard's SPFC for Chambers' records.

There are two more enclosures that I am not able to attach here – two videos. I will work on how to get them over to you now.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 11 August 2022 08:37
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Isabel

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Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

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Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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DX: 300 700 Tower Hamlets

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guideline

s

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This email has been scanned for viruses and malware.

From: Isabel Trinder
Sent: 12 August 2022 10:41:29
To: Emily Black
Subject: RE: 24th August

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Hi Emily,

Many thanks, I can confirm I have been able to assess the video.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:50
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

I'm using Mimecast to share large files with you. Please see the attached instructions.

I'm using Mimecast to share large files with you. Please see the attached instructions.

Hi Isabel,

Here's one of the videos – please let me know if you're able to access it.

Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:44
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

Hi Isabel,

Please find attached brief/instructions to counsel and enclosures, to include Mr Bernard's SPFC for Chambers' records.

There are two more enclosures that I am not able to attach here – two videos. I will work on how to get them over to you now.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 11 August 2022 08:37
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Hi Emily,

That's great, thank you for the update.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Apologies for the delay, I'll work on these instructions tomorrow and have them to you by the end of the week.

Kind regards,

Emily

Emily Black

Trainee Solicitor

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Hi Emily,

I hope you are well.

Please can I check when papers will be sent across for the hearing on the 24th of August in Alice Irving's diary?

Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guidelines

E: i.trinder@doughtystreet.co.uk
T: 0207 404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Isabel Trinder
Sent: 12 August 2022 11:00:15
To: Emily Black
Subject: RE: 24th August

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Hi Emily,

I have made this OneDrive link so you should be able to drag and drop the video in there if that assists.

Oliver Bernard

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 10:45
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Great thanks – there's just one more that's too big to send, I'm liaising with our IT to see how I can get it to you.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 12 August 2022 10:41
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Hi Emily,

Many thanks, I can confirm I have been able to assess the video.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:50
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

I'm using Mimecast to share large files with you. Please see the attached instructions.

I'm using Mimecast to share large files with you. Please see the attached instructions.

Hi Isabel,

Here's one of the videos – please let me know if you're able to access it.

Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:44
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

Hi Isabel,

Please find attached brief/instructions to counsel and enclosures, to include Mr Bernard's SPFC for Chambers' records.

There are two more enclosures that I am not able to attach here – two videos. I will work on how to get them over to you now.

Kind regards,

Emily

Emily Black

Trainee Solicitor

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 11 August 2022 08:37
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Hi Emily,

That's great, thank you for the update.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Apologies for the delay, I'll work on these instructions tomorrow and have them to you by the end of the week.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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Hi Emily,

I hope you are well.

Please can I check when papers will be sent across for the hearing on the 24th of August in Alice Irving's diary?

Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guidelines

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T: 0207 404 1313

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From: Isabel Trinder
Sent: 12 August 2022 11:27:16
To: Emily Black
Subject: RE: 24th August

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Hi Emily,

No problem, thank you for uploading it I have been able to access safely.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 11:21
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Ah amazing that's so helpful, I've uploaded the second video there just now.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 12 August 2022 11:00
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Hi Emily,

I have made this OneDrive link so you should be able to drag and drop the video in there if that assists.

Oliver Bernard

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 10:45
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Great thanks – there's just one more that's too big to send, I'm liaising with our IT to see how I can get it to you.

Kind regards,

Emily

Emily Black

Trainee Solicitor

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Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:50
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

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Hi Isabel,

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Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:44
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

Hi Isabel,

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Subject: RE: 24th August

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Hi Emily,

That's great, thank you for the update.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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Hi Emily,

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Please can I check when papers will be sent across for the hearing on the 24th of August in Alice Irving's diary?

Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guidelines

doughty street chambers

E: i.trinder@doughtystreet.co.uk
T: 0207 404 1313

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This email has been scanned for viruses and malware.

From: Isabel Trinder
Sent: 12 August 2022 11:39:59
To: Katie Brown
Subject: Acknowledgement of Instructions in the matter of THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH -V- OLIVER BERNARD | Your Ref: KB | Our Ref: 200593

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Katie,

Thank you for your instructions in the above matter, which have been placed before Ms Alice Irving

These instructions are accepted under the Standard Contractual Terms for legal aid work. Doughty Street Chambers is committed to providing a first-class service to its clients. We welcome your comments on our performance and want to know if it meets your expectations. If you are not satisfied with any aspect of the service you receive, a full copy of our complaint's procedure can be found here.

We would kindly request that chambers are contacted for estimates of costs where these are required by the court and/or Legal Aid Agency. In the event that we are not consulted on and/or advised of estimates effecting the recoverability of fees, we are unable to be bound by them. For the avoidance of doubt this will include details of fees included within a Precedent H along with any budget subsequently approved by the Court.

As this is a CCMS case, we would kindly ask you assign Counsel as soon as practically possible.

Please do not hesitate to contact me if I can be of any further assistance.

Yours sincerely

Isabel Trinder
Clerk to Ms Alice Irving

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guidelines

doughty street chambers

E: i.trinder@doughtystreet.co.uk
T: 0207 404 1313

London Office:
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This email has been scanned for viruses and malware.

From: Jillian Danielsen
Sent: 08 November 2022 09:10:04
To: Emily Black;Shyann Weekes
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

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Morning Emily,

That's perfect. Please may we ask for a copy of the correspondence from the Legal Aid Agency for our records, should it so happen please, but as mentioned previously we will honour the reduction should it so happen.

Kind Regards,

Jillian Danielsen
Accounts Assistant

Please be aware that as of the 21st March 2022 we are no longer able to accept cheques.
Important re Coronavirus (COVID-19)

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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office@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 07 November 2022 17:53
To: Shyann Weekes <Shyann@expertinmind.co.uk>
Cc: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

Dear Shyann,

Further to our call last week, I have requested payment on account from the LAA for the amended invoice.

I have discussed with my supervisor who has confirmed that payment of the invoice will be made on the basis that we would expect you to refund us the difference if the LAA on assessment refuses to pay the full invoice.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Shyann Weekes <Shyann@expertinmind.co.uk>
Sent: 01 November 2022 17:07
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

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Dear Emily,

Thank you for your email.

An invoice of 5 hours has been raised the review of case paper which he read in preparation of the assessment, otherwise, he would know no background of the case.

Medical records are not needed in order to assess a client just for the finalisation of the report, sometimes he may ask to speak with a client briefly after seeing medical records but this would only require a quick call to clarify points.

I hope this clarifies your queries. If not, I would be happy for you to call me tomorrow to discuss further.

Kind regards,

Shyann Weekes
Team Manager
EIM

From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 01 November 2022 16:53
To: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: FW: AMENDED: Invoice - Bernard (Work to Date)
Importance: High

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 01 November 2022 16:29
To: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the amended invoice but I'm still not clear on the work that Dr Suleman did in advance of the appointment and why that required even five hours of reading. Again, I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment).

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 28 October 2022 12:00
To: Emily Black <Emily.Black@tvedwards.com>
Subject: AMENDED: Invoice - Bernard (Work to Date)
Importance: High

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Morning Emily,

I've asked the case manager to review the fee note as requested, and although 528 pages of reading were received in total, we have reduced the reading fee to the 372 pages received and read in preparation of the appointment as a gesture of good will.

I hope this is agreeable.

Kind Regards,

Jillian Danielsen
Accounts Assistant

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Important re Coronavirus (COVID-19)

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 October 2022 15:28
To: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the invoice.

Whilst we are content to pay the 2 hour cancellation fee, I note that the invoice also includes 7 hours reading time, which I think the Legal Aid Agency will raise issue with.

Please can you confirm whether Dr Suleman did read the papers and if so, why did he spend 7 hours doing so, particularly when I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment). I understand some prep work would be required prior to the appointment, but the initial quote included 7 hours of reading time total.

I look forward to hearing from you.

Kind regards,

Emily

Emily Black
Solicitor
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From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 26 October 2022 16:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Invoice - Bernard (Work to Date)
Importance: High

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Afternoon Emily,

Please find attached the invoice in respect of work completed to date by Dr Suleman in this matter.

We look forward to receiving payment within agreed payment terms (60 days from invoice).

Kind Regards,

Jillian Danielsen
Accounts Assistant

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Jillian Danielsen
Sent: 26 October 2022 16:47:10
To: Emily Black
Subject: Invoice - Bernard (Work to Date)
Attachments: Invoice 37184.pdf
Importance: High

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Afternoon Emily,

Please find attached the invoice in respect of work completed to date by Dr Suleman in this matter.

We look forward to receiving payment within agreed payment terms (60 days from invoice).

Kind Regards,

Jillian Danielsen
Accounts Assistant

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From: Jillian Danielsen
Sent: 28 October 2022 11:59:36
To: Emily Black
Subject: AMENDED: Invoice - Bernard (Work to Date)
Attachments: Invoice 37184.pdf
Importance: High

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Morning Emily,

I've asked the case manager to review the fee note as requested, and although 528 pages of reading were received in total, we have reduced the reading fee to the 372 pages received and read in preparation of the appointment as a gesture of good will.

I hope this is agreeable.

Kind Regards,

Jillian Danielsen
Accounts Assistant

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 October 2022 15:28
To: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the invoice.

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Please can you confirm whether Dr Suleman did read the papers and if so, why did he spend 7 hours doing so, particularly when I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment). I understand some prep work would be required prior to the appointment, but the initial quote included 7 hours of reading time total.

I look forward to hearing from you.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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Sent: 26 October 2022 16:47
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Accounts Assistant

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From: Joe Young
Sent: 13 September 2022 11:37:27
To: Katie Brown
Subject: Re: Case: THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH -V- OLIVER BERNARD | Our Ref: 200593 | Your Ref: KB
Attachments: CF1A Claim Form_13_9_2022_11_37_25_556.pdf

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Dear Katie,

Please find attached a copy of our fee note in respect of the above case.

If this is a CCMS matter, please ensure that counsel has been allocated and the costs limitation increased in line with the attached. When doing so, please consider any payment on accounts that have been made, and ensure the total net fees are allocated. Details on how to allocate can be found here *http://ccmstraining.justice.gov.uk/__data/assets/pdf_file/0007/7774/-CCMS_Provider__Assigning_Counsel_7774_v3.1.pdf*

If you have any queries, please do not hesitate to contact me.

Kind regards,

Joe Young

Joe Young
Junior Civil Billing Clerk
Message from DSC on 'Remote Working' Guidelines

doughty street chambers

E: j.young@doughtystreet.co.uk
T: 0207 404 1313

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From: Joe Young
Sent: 22 August 2022 12:52:56
To: Katie Brown
Subject: Re: Case: THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH -V- OLIVER BERNARD | Our Ref: 200593 | Your Ref: KB
Attachments: CF1A Claim Form_22_8_2022_12_52_29_977.pdf

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Katie,

Please find attached a copy of our fee note in respect of the above case.

If this is a CCMS matter, please ensure that counsel has been allocated and the costs limitation increased in line with the attached. When doing so, please consider any payment on accounts that have been made, and ensure the total net fees are allocated. Details on how to allocate can be found here *http://ccmstraining.justice.gov.uk/__data/assets/pdf_file/0007/7774/-CCMS_Provider__Assigning_Counsel_7774_v3.1.pdf*

If you have any queries, please do not hesitate to contact me.

Kind regards,

Joe Young

Joe Young
Junior Civil Billing Clerk
Message from DSC on 'Remote Working' Guidelines

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E: j.young@doughtystreet.co.uk
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From: Justine Ghata-Aura
Sent: 10 October 2022 17:01:43
To: Emily Black;Caroline Bird
Cc: Shyann Weekes
Subject: [16129] Oliver Bernard

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Dear all,

Following Oliver's appointment at 5:45 PM today, I just wanted to email over Dr Suleman's mobile number: 07855 330 856, Which I'd be grateful if you could pass to your client.

The receptionist as Regus may have gone home by the time Oliver arrives, So if that is the case and there is any problems. Oliver can call Dr Suleman and he will let him into the building.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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Important re Coronavirus (COVID-19)
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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Justine Ghata-Aura
Sent: 11 October 2022 10:12:17
To: Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: [16129] Oliver Bernard

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Dear Caroline,

Thank you for the update. A 2 hour DNA fee will be added.

Please get in touch if another appointment is required, However Dr Suleman does have limited availability for the remainder of this year.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 10 October 2022 17:15
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: [16129] Oliver Bernard

Dear Justine,

Apologies for only being able to confirm this now, but after trying since Thursday I have only just been able to get through to Oliver and he has explained he will not be attending the meeting at 5:45pm.

We will be in touch if it is necessary to rearrange the appointment.

Thank you for your continued assistance,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 10 October 2022 17:02
To: Emily Black <Emily.Black@tvedwards.com>; Caroline Bird <Caroline.Bird@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: [16129] Oliver Bernard

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Dear all,

Following Oliver's appointment at 5:45 PM today, I just wanted to email over Dr Suleman's mobile number: 07855 330 856, Which I'd be grateful if you could pass to your client.

The receptionist as Regus may have gone home by the time Oliver arrives, So if that is the case and there is any problems. Oliver can call Dr Suleman and he will let him into the building.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Justine Ghata-Aura
Sent: 03 October 2022 09:37:10
To: Caroline Bird;Emily Black
Cc: Shyann Weekes;Katie Brown
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thanks for the update, I will await to receive the additional medical documents.

The appointment is due to take place on 10th October 2022 so we urgently require confirmation of attendance for Oliver.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 17:04
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>; Katie Brown <Katie.Brown@tvedwards.com>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

We have not yet received the additional medical documents referred to in my colleague, Emily Blacks, email of 28 September 2022 and will pass them on once received.

Thank you,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 16:44
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thank you, I will await to hear back form you regarding his attendance and additional medical documents.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 16:07
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Many thanks Justine.

I will pass this information onto Mr Bernard and confirm his attendance as soon as possible.

Kind regards,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 14:29
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Please find attached a copy of Dr Suleman's CV.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 11:48
To: Emily Black <Emily.Black@tvedwards.com>; Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

Caroline Bird

Paralegal - MCILEx

t: 0203 440 8325 f: 0203 357 9587

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From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*

- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Justine Ghata-Aura
Sent: 03 October 2022 11:43:16
To: Katie Brown;Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Katie,

Many thanks for the appointment confirmation, I will notify Dr Suleman of this.

I will await to hear back from you regarding the additional documents.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Katie Brown <Katie.Brown@tvedwards.com>
Sent: 03 October 2022 11:27
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine

Thank you for your email.

I will confirm the booking. Even if Mr Bernard were to agree to attend today, he may change his mind later this week (and vice versa) but given how important this meeting / assessment is, I am happy to confirm the booking.

Many thanks

Katie Brown

Katie Brown
Partner and Joint Head of Social Welfare
t: 0203 440 8201 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 03 October 2022 09:37
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>; Katie Brown <Katie.Brown@tvedwards.com>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thanks for the update, I will await to receive the additional medical documents.

The appointment is due to take place on 10th October 2022 so we urgently require confirmation of attendance for Oliver.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 17:04
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>; Katie Brown <Katie.Brown@tvedwards.com>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

We have not yet received the additional medical documents referred to in my colleague, Emily Blacks, email of 28 September 2022 and will pass them on once received.

Thank you,
Caroline Bird

Caroline Bird

Paralegal - MCILEx

t: 0203 440 8325 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 16:44
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thank you, I will await to hear back form you regarding his attendance and additional medical documents.

Many thanks,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 +44 (0) 1424 234 625
justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 16:07
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Many thanks Justine.

I will pass this information onto Mr Bernard and confirm his attendance as soon as possible.

Kind regards,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 14:29
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Please find attached a copy of Dr Suleman's CV.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 11:48
To: Emily Black <Emily.Black@tvedwards.com>; Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
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From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his*

landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.

- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.
Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with

a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Justine Ghata-Aura
Sent: 06 October 2022 16:21:15
To: Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: Matter 16129: Oliver Bernard

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Dear all,

I hope you are well.

I'd be grateful for an update regarding the client's additional medical records.
I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Justine Ghata-Aura
Sent: 06 October 2022 16:45:58
To: Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thank you for the update.

I am on annual leave tomorrow, but my colleague Shyann will be in the office.

Many thanks
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 06 October 2022 16:27
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

These have just been received this afternoon. I am currently considering them and will pass them on as soon as possible but given the volume, this is likely to be tomorrow.

Thank you,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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confirm the transaction. We can accept NO LIABILITY for monies transferred to incorrect bank accounts.

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 06 October 2022 16:21
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear all,

I hope you are well.

I'd be grateful for an update regarding the client's additional medical records.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

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From: Justine Ghata-Aura
Sent: 07 September 2022 12:09:32
To: Emily Black
Cc: Felix Pratley-Crighton;Shyann Weekes
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Hi Emily,

Thank you for your email.

I can confirm that the appointment with Dr Suleman will be as follows:

Date: Wednesday 7th of September 2022
Time: 10:00 AM- 12:00 PM
Venue: Regus, Romer House, 132 Lewisham, High Street, SE13 6EE
Attendee: Bernard, Oliver

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 06 September 2022 09:13
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: FW: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 05 September 2022 16:55
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Please can you confirm the time of the appointment with Dr Suleman on 7 October, and the location of his consulting rooms?

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 01 September 2022 13:23
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you. I confirm receipt and have forwarded this to Dr Suleman's secretary.

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

+44 (0) 1424 444 130
felix@expertinmind.co.uk
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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 01 September 2022 12:06
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

I'm using Mimecast to share large files with you. Please see the attached instructions.

Dear Felix,

Please find attached the LOI and enclosures attached.

Kind regards,

Emily

From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 30 August 2022 10:53
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email. This has been temporarily set aside.

Do let me know when you should be able to send across the LOI.

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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felix@expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 16:14
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thanks very much. Please can we confirm the 7 October at Dr Suleman's consulting rooms?

I will send the letter of instruction as soon as possible.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 24 August 2022 14:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email.

I have checked with the secretary. She has advised that Dr Suleman has some options:

If he needs to travel, his first appointment is 28th October

If the client can come to his consulting rooms in Lewisham, he can see them during the daytime on 7th October, or potentially sooner if the client can attend in the evening (ordinarily 5.45pm).

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 14:11
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thank you very much for this.

Please can we instruct Dr Suleman?

Please can you let me know his availability for a face-to-face assessment?

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 23 August 2022 13:42
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Waquas Waheed, Dr. Jan Falkowski, Dr. Ajay Bhatnagar, Dr. Pavan Chahl, Dr. Sajid Suleman and Professor Chris Fox, Psychiatrists who should be suitable to assist. I detail below their current timescales, fees and locations:

Adherence to the following timescales is based on the prompt receipt of medical records.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Felix Pratley-Crighton
Senior Administrator

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From: Justine Ghata-Aura
Sent: 10 October 2022 09:30:07
To: Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Many thanks for sending these over, they have been sent to Dr Suleman to review.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 07 October 2022 14:00
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

I'm using Mimecast to share large files with you. Please see the attached instructions.

Dear Shyann,

Please find the additional medical records attached.

Thank you,
Caroline Bird

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 06 October 2022 16:46
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thank you for the update.

I am on annual leave tomorrow, but my colleague Shyann will be in the office.

Many thanks
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 06 October 2022 16:27
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

These have just been received this afternoon. I am currently considering them and will pass them on as soon as possible but given the volume, this is likely to be tomorrow.

Thank you,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 06 October 2022 16:21
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear all,

I hope you are well.

I'd be grateful for an update regarding the client's additional medical records.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

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From: Justine Ghata-Aura
Sent: 12 September 2022 17:00:56
To: Emily Black;matters+a16129p17908@expertinmind.actionstep.com
Cc: Shyann Weekes
Subject: RE: [EID:16129] Oliver Bernard - Appointment Letter and T&Cs

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Hi Emily,

Thank you for confirming attendance and returning the T&Cs and consent form. Just wanted to add the appointment details below so you have the correct information.

Date: Friday 7th of October 2022
Time: 10:00 AM- 12:00 PM
Venue: Regus, Romer House, 132 Lewisham, High Street, SE13 6EE
Attendee: Bernard, Oliver

Thank you for the update, I appreciate your efforts in getting the medical records across.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
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From: do-not-reply@actionstep.com <do-not-reply@actionstep.com> **On Behalf Of** Emily Black
Sent: 12 September 2022 16:47
To: Justine Ghata-Aura <matters+a16129p17908@expertinmind.actionstep.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: COPY: RE: [EID:16129] Oliver Bernard - Appointment Letter and T&Cs

Dear Justine,

Thanks very much. Appointment confirmed and signed T&Cs attached.

Re the medical records – unfortunately there's a delay in receiving these from the Trust due to a "clinical system outage". I will continue to chase and provide them to you for Dr Suleman as soon as possible.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: matters@expertinmind.actionstep.com <matters@expertinmind.actionstep.com>
Sent: 06 September 2022 14:18
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Weekes, Shyann <shyann@expertinmind.co.uk>
Subject: [EID:16129] Oliver Bernard - Appointment Letter and T&Cs
Importance: High

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Dear Emily,

Please see attached letter sent on behalf of Dr. Suleman. May I draw your attention to the following requirements which are essential for adherence to the filing date:

- The appointment needs to be confirmed within **7 days**
- The Terms and Conditions need to be signed and returned by all fee paying parties at least **7 days** prior to the appointment date
- The medical records need to be received **7 days** prior to the filing date

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

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Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

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Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Justine Ghata-Aura
Sent: 20 September 2022 14:33:45
To: Emily Black
Cc: Shyann Weekes
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Justine Ghata-Aura
Sent: 20 September 2022 16:49:22
To: Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

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From: Justine Ghata-Aura
Sent: 21 September 2022 16:58:26
To: Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
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Look forward to hearing form you.

Kind regards,

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From: Justine Ghata-Aura
Sent: 23 September 2022 16:48:12
To: Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
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Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Justine Ghata-Aura
Sent: 26 October 2022 09:08:16
To: Caroline Bird;Emily Black;Katie Brown
Cc: Shyann Weekes
Subject: [16129] Oliver Bernard

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Dear all,

Hope you are well.

I'd be grateful if you could provide an update on whether you would like to rebook Oliver Bernard's appointment with Dr Suleman?

I will look to raise the invoice for the work to date on Friday, Unless stated otherwise.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Justine Ghata-Aura
Sent: 26 October 2022 14:09:49
To: Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: [16129] Oliver Bernard

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Dear Caroline,

Thank you for your email and the update.

I will send out the invoice for work to date in due course.

Please feel free to contact us in the future.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 26 October 2022 12:44
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: [16129] Oliver Bernard

Dear Justine,

Thank you and yourself.

We will not be proceeding with this assessment and so will not need to re-book the appointment.

We look forward to receiving the final invoice in due course.

Thank you,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 26 October 2022 09:08
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>; Katie Brown <Katie.Brown@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: [16129] Oliver Bernard

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Dear all,

Hope you are well.

I'd be grateful if you could provide an update on whether you would like to rebook Oliver Bernard's appointment with Dr Suleman?

I will look to raise the invoice for the work to date on Friday, Unless stated otherwise.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Justine Ghata-Aura
Sent: 28 September 2022 16:38:30
To: Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings,*

such as his landlord, what he has discussed with his lawyer and what his lawyer told him.

- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>

Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Justine Ghata-Aura
Sent: 29 September 2022 10:33:41
To: Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Many thanks for sending over the updated LOI and Certificate as to Capacity to conduct proceedings.

Thank you for the update, I will await to hear from your colleague in regards to the appointment confirmation.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34

To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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From: Justine Ghata-Aura
Sent: 30 September 2022 14:01:20
To: Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thank you for your email.

I have discussed this with Dr Suleman and he is happy for Mr Bernard's sister to attend the beginning of the appointment, Until a rapport is built and Mr Bernard feels comfortable, however she will not be permitted to attend the entire appointment.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with

a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 11:48
To: Emily Black <Emily.Black@tvedwards.com>; Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

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FAX +44 (0) 1424 234 625
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>

Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Justine Ghata-Aura
Sent: 30 September 2022 14:28:42
To: Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard
Attachments: Suleman, Dr Sajid.pdf

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Dear Caroline,

Please find attached a copy of Dr Suleman's CV.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 11:48
To: Emily Black <Emily.Black@tvedwards.com>; Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

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FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Justine Ghata-Aura
Sent: 30 September 2022 16:44:01
To: Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thank you, I will await to hear back form you regarding his attendance and additional medical documents.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 16:07
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Many thanks Justine.

I will pass this information onto Mr Bernard and confirm his attendance as soon as possible.

Kind regards,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 14:29
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Please find attached a copy of Dr Suleman's CV.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 11:48
To: Emily Black <Emily.Black@tvedwards.com>; Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>

Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Justine Ghata-Aura
Sent: 06 September 2022 14:18:02
To: Emily Black
Cc: Weekes, Shyann
Subject: [EID:16129] Oliver Bernard - Appointment Letter and T&Cs
Attachments: Legal Aid T&Cs.docx, Letter RE Suleman 02_09_22 (1).pdf
Importance: High

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Dear Emily,

Please see attached letter sent on behalf of Dr. Suleman. May I draw your attention to the following requirements which are essential for adherence to the filing date:

- The appointment needs to be confirmed within **7 days**
- The Terms and Conditions need to be signed and returned by all fee paying parties at least **7 days** prior to the appointment date
- The medical records need to be received **7 days** prior to the filing date

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Mustakalli, Kayleigh
Sent: 12 August 2022 11:04:55
To: Emily Black
Cc: Data Protection Requests
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)
Importance: High

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Dear Emily,

This is to inform you that due to a national systems outage, we are currently experiencing technical issues with our clinical system, which is causing a delay in processing requests at this time. We are working with our third-party supplier and NHS England to resolve this situation and will contact you and will keep in contact with you regarding progress.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 11 August 2022 11:26
To: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Kayleigh,

Do you have an update on this request please?

Thanks very much for your assistance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 29 July 2022 15:17
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Emily,

Thank you for sending to us your request.

We have asked our clinical team to assist in providing the records to you as soon as possible.

Any queries in the meantime, please let me know.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 July 2022 11:10
To: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Sirs/Mesdames,

Please find the attached letter and enclosures for your attention.

Please note that the next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

We look forward to hearing from you.

Kind regards,

Emily Black

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Mustakalli, Kayleigh
Sent: 25 August 2022 15:28:32
To: Emily Black
Cc: Data Protection Requests
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)
Importance: High

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon Emily,

Unfortunately, we are still in the same position regarding our clinical system outage and still do not know when this will be resolved.

The Clinical team are aware of your request and as soon as the outage has been resolved they will be able to send you the requested records.

Apologies for the inconvenience this may be causing.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 08:41
To: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Cc: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Kayleigh,

Thanks for letting me know.

Do you have any further update please? As mentioned the records are for use in a court case and I would be grateful for receipt of the same as a matter of urgency.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 12 August 2022 11:05
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)
Importance: High

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Dear Emily,

This is to inform you that due to a national systems outage, we are currently experiencing technical issues with our clinical system, which is causing a delay in processing requests at this time. We are working with our third-party supplier and NHS England to resolve this situation and will contact you and will keep in contact with you regarding progress.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 11 August 2022 11:26
To: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Kayleigh,

Do you have an update on this request please?

Thanks very much for your assistance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 29 July 2022 15:17
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Thank you for sending to us your request.

We have asked our clinical team to assist in providing the records to you as soon as possible.

Any queries in the meantime, please let me know.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 July 2022 11:10
To: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Sirs/Mesdames,

Please find the attached letter and enclosures for your attention.

Please note that the next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

We look forward to hearing from you.

Kind regards,

Emily Black

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Mustakalli, Kayleigh
Sent: 29 July 2022 15:16:33
To: Emily Black
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Thank you for sending to us your request.

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Any queries in the meantime, please let me know.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 July 2022 11:10
To: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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We look forward to hearing from you.

Kind regards,

Emily Black

Emily Black

Trainee Solicitor

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From: Nina Franklin
Sent: 05 August 2022 15:29:02
To: Emily Black
Subject: RE: London Borough of Lambeth v Oliver Bernard

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Dear Ms Black,

Further to your email below, I wanted to let you know that I referred the matter to my client as soon as your email was received. I have today chased a response as I have heard nothing.
I also wanted to put you on notice that our clients served an NSP on your client and I have been instructed to issue possession proceedings.

Kind regards,

Nina Franklin
Assistant Lawyer
Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

Please consider the environment before printing this e-mail

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 01 August 2022 11:42
To: Nina Franklin <NFranklin@lambeth.gov.uk>
Subject: RE: London Borough of Lambeth v Oliver Bernard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms Franklin,

Thank you for sending the papers over to me.

I note that the last hearing was adjourned to allow time to explore the possibilities of Lambeth providing alternative accommodation to Mr Bernard.

Please can you let me know if there is any update on this front?

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Nina Franklin <NFranklin@lambeth.gov.uk>
Sent: 19 July 2022 14:20
To: Emily Black <Emily.Black@tvedwards.com>
Subject: London Borough of Lambeth v Oliver Bernard

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Ms Black,

Further to previous emails, please find attached the following:-

- Documents from house file (that are disclosable). The house file is very small and predominantly contains emails produced when legal proceedings were contemplated.
- Contact Reports
- Rent statement
- Care Act assessment report

In regards to the mental health assessment, I am instructed that this sits with the South West Short Term Support Team and they have not been able to complete this yet, as Mr Bernard did not attend his appointment. He has an allocated care co-ordinator, Olivia Laidlaw olivia.laidlaw@slam.nhs.uk

Yours sincerely,

Nina Franklin
Assistant Lawyer
Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

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From: Nina Franklin
Sent: 10 August 2022 09:08:36
To: Emily Black
Subject: RE: London Borough of Lambeth v Oliver Bernard
Attachments: Hearingbundlefor24822-V1.pdf

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Ms Black,

I enquired of my instructing clients yesterday as to what the position was regarding the acquiring of alternative accommodation for your client. They advised that they still await hearing back from the HPU as to whether a suitable property has been acquired following which the police will need to conduct their risk assessments. My instructing clients also contacted the police yesterday to enquire as to whether your client have returned to the UK. Your client had previously registered Foreign Travel with the police and advised that he would be going to France from 15th July 2022 to 1st August 2022. The police have advised that they have not had any notification to suggest that your client has returned to the UK as yet.

I will be on leave next week so I am forwarding the updated hearing bundle with this email so that all parties have the papers well in advance of the hearing.
Kind regards,

Nina Franklin
Assistant Lawyer
Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

Please consider the environment before printing this e-mail

From: Nina Franklin
Sent: 05 August 2022 15:29
To: 'Emily Black' <Emily.Black@tvedwards.com>
Subject: RE: London Borough of Lambeth v Oliver Bernard

Dear Ms Black,

Further to your email below, I wanted to let you know that I referred the matter to my client as soon as your email was received. I have today chased a response as I have heard nothing.
I also wanted to put you on notice that our clients served an NSP on your client and I have been instructed to issue possession proceedings.

Kind regards,

Nina Franklin
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London Borough of Lambeth
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WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk
Please consider the environment before printing this e-mail

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 01 August 2022 11:42
To: Nina Franklin <NFranklin@lambeth.gov.uk>
Subject: RE: London Borough of Lambeth v Oliver Bernard

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Dear Ms Franklin,

Thank you for sending the papers over to me.

I note that the last hearing was adjourned to allow time to explore the possibilities of Lambeth providing alternative accommodation to Mr Bernard.

Please can you let me know if there is any update on this front?

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Nina Franklin <NFranklin@lambeth.gov.uk>
Sent: 19 July 2022 14:20
To: Emily Black <Emily.Black@tvedwards.com>
Subject: London Borough of Lambeth v Oliver Bernard

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Dear Ms Black,

Further to previous emails, please find attached the following:-

- Documents from house file (that are disclosable). The house file is very small and predominantly contains emails produced when legal proceedings were contemplated.
- Contact Reports
- Rent statement
- Care Act assessment report

In regards to the mental health assessment, I am instructed that this sits with the South West Short Term Support Team and they have not been able to complete this yet, as Mr Bernard did not attend his appointment. He has an allocated care co-ordinator, Olivia Laidlaw olivia.laidlaw@slam.nhs.uk

Yours sincerely,

Nina Franklin
Assistant Lawyer
Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

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From: Nina Franklin
Sent: 13 September 2022 12:17:53
To: Emily Black
Subject: Oliver Bernard
Attachments: 33 carfax Place

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Ms Black,

You will recall from the last hearing that the Judge said that she would re-draft the entire injunction and power of arrest to be re-served on the Defendant

We have accordingly contacted our process server to arrange for service of the same upon your client as per that attached.

We are yet to receive a copy of the directions order.

Yours sincerely,

Nina Franklin
Assistant Lawyer
Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

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From: Nina Franklin
Sent: 15 July 2022 10:33:33
To: Emily Black
Subject: RE: London Borough of Lambeth v Oliver Bernard - Claim No.: J01EC769
Attachments: HearingBundle10622-V1.pdf, GeneralFormofJudgmentorOrderreceivedCriticalDate24082022-V1.pdf

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Dear Ms Black

Thank you for your email.
We have forwarded your letter to our clients in respect of the documents that you have requested.
In the meantime, please find attached bundle that was utilised for the recent hearing and recent court order.

Kind regards,

Nina Franklin
Assistant Lawyer
Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

Please consider the environment before printing this e-mail

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 15 July 2022 10:11
To: Nina Franklin <NFranklin@lambeth.gov.uk>
Subject: London Borough of Lambeth v Oliver Bernard - Claim No.: J01EC769

You don't often get email from emily.black@tvedwards.com. Learn why this is important

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms Franklin,

Please find the attached letter and enclosures for your attention.

We look forward to hearing from you.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Nina Franklin
Sent: 19 July 2022 14:19:51
To: Emily Black
Subject: London Borough of Lambeth v Oliver Bernard
Attachments: Contact Reports.docx, Rent Statement.rtf, 44866DA4A47C11ECB07A207918D48D3D.msg, RE: Oliver Bernard - Notification of Hearing - Clerkenwell & Shoreditch - 24 August 2022 - URGENT

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Dear Ms Black,

Further to previous emails, please find attached the following:-

- Documents from house file (that are disclosable). The house file is very small and predominantly contains emails produced when legal proceedings were contemplated.
- Contact Reports
- Rent statement
- Care Act assessment report

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Yours sincerely,

Nina Franklin
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WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

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From: No Reply Mailbox
Sent: 04 August 2022 08:12:50
To: Emily Black
Subject: Access to Health Records Application - Your Reference: KBN/BER37 4/1 - Our Reference: CAS-3903463-C2N3P2 CRM:0095005438

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Good Morning,

Re: Your request for access to confidential GP health records

We have received your application for access to the confidential health records of Oliver Bernard. Your case reference is CAS-3903463-C2N3P2

The process of applying for an individual's confidential GP records contains safeguards designed to ensure the individual's identity has been verified and the applicant falls within the criteria set out by statute.

To maintain the confidentiality of the patient and their records, it is important that the applicant's identity is confirmed by documents, data or information obtained in line with NHS England and NHS Improvement's subject access and information disclosure guidelines.

Your application to access confidential medical records has met the criteria to be reviewed for release. Now, an appointed NHS England and NHS Improvement health professional will now consider your application, together with a copy of the medical records held by Primary Care Support England, for a decision on disclosure.

What happens next?

Decision on disclosure
It is long-established practice that appropriate health professionals consider applications for both living and deceased patients before the decision is taken to release records, either in whole or in part. This is a statutory requirement for deceased patients under Section 5(4) of the Access to Health Records Act 1990. When disclosing information for living patients, the appointed NHS England and NHS Improvement appropriate health professional will consider the principles in the General Data Protection Regulation (Data Protection Law).

Further information can be found at:

NHS England:
https://www.nhs.uk/using-the-nhs/about-the-nhs/how-to-access-your-health-records/

Department Health and Social Care guidance:

https://www.igt.hscic.gov.uk/WhatsNewDocuments/Access%20to%20Health%20Records%20Feb%202010.pdf

Primary Care Support England:
https://pcse.england.nhs.uk/services/gp-records/accessing-medical-records/

British Medical Association guidance:
https://www.bma.org.uk/connecting-doctors/search?q=disclosure%20of%20health%20records

Information Commissioner's Office:
https://ico.org.uk/media/2259722/subject-access-code-of-practice.pdf

Release
The appointed health professional may only release a subset of the records requested. We will send you a letter with the decision on disclosure, addressing all potential **exceptions** to the right of access.

Primary Care Support England can only provide a copy of GP health records. Other parts of a patient's health record may be held by hospitals, community or mental health trusts, as well as previous GP practices. We cannot provide access to these records, and you therefore may wish to apply separately to another health organisation.

Primary Care Support England does not store:

- X-rays/transparencies – these will remain with the relevant NHS trust
- digital records
- hospital records – apply to the NHS trust
- private clinic records – available from the clinic concerned.

How long will it take?
The current turnaround time for applications to be processed is about **four weeks**. In some instances, we may process an application sooner than this, but in other cases it can take longer, depending on the complexity of the application.

We will be in touch if your application takes longer than eight weeks.

To send an enquiry about your application, please use our online follow up enquiry form Click here. Please select the same category and type of enquiry that you used to submit your application. However, select 'Yes' when asked if this query regards an existing enquiry. You will be asked to provide your case reference number so have this available to you.

Please note: this email address is not monitored so please do not reply to this message.

If you experience any issues submitting information via our follow up enquiry form, please let us know by emailing pcse.accessrequests@nhs.net submitting any information you would have via the follow up form and quoting your case reference number.

Kind Regards

Access Requests Team

Primary Care Support England

Delivered on behalf of NHS England by Capita

Email: pcse.accessrequests@nhs.net

Customer Support Centre: 0333 014 2884

Address: Primary Care Support England, PO Box 350, Darlington, DL1 9QN

Website: http://www.pcse.england.nhs.uk/

Capita Business Services Limited (Registered No. 2299747) whose registered office is 71 Victoria Street, Westminster, LONDON, SW1H 0XA, United Kingdom

From: No Reply Mailbox
Sent: 26 July 2022 14:17:36
To: Emily Black
Subject: CAS-3903463-C2N3P2 ART Oliver Bernard CRM:0001646235

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily

Your Case Reference Number is: **CAS-3903463-C2N3P2**

Thank you for your enquiry. Your submission has been successful and will be forwarded to the relevant team.

If you wish to send additional information relating to this enquiry, please use the online form Click here and include your case reference number, beginning 'CAS-'.

Please note: this email address is not monitored so please do not reply to this message.

Kind regards

Primary Care Support England

From: Oliver Bernard
Sent: 01 July 2022 09:04:22
To: Emily Black
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

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---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Fri, Jun 17, 2022 at 10:04 AM
Subject: RE: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Nice to meet you yesterday. This is the order of what the judge agreed at last hearing just saying the injunction continues until next order and hearing is adjourned to allow for you to meet with me and also get legal representation. The judge will then consider if this injunction order should continue at next hearing.

They should email you when they get the next court date as this hasn't been set yet.

Here is the list of solicitors you could try and contact if haven't already done so

1. TV Edwards LLP - 18 St Johns Road, London, London, SW11 1PN, England or 35 -37 Mile end road, E1 4TP – 020 3440 8314

2. Emin Read Solicitors - 25 Balham Hill, London, SW12 9DX, England - 020 7733 9898

3. Clapham Law LLP - 9 Bedford Road, Clapham, London, SW4 7SH, England - Tel:02072071916

4. Charles Allotey & Co - 140-142 Stockwell Road, London, United Kingdom, SW9 9TQ, England

Tel:02077386777

5. Leigh Day - eigh Day, Woodlands Day Centre, 16 Leigham Court Road, Streatham, London, SW16 2PJ, England

Tel:02076501200

6. Abbotts Martin - :

Lilford Business Centre, 61 Lilford Road, London, SE5 9HY, England Tel: 02078460285

I will let housing know you still have not been able to get a solicitor

Thanks

Miriam

Miriam Hargreaves

Pronounced Mi-re-am Har-greeves

Pronouns: Her/She

Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

380 Streatham High Road

SW16 6HP

Tel: 0207 926 9550

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 16 June 2022 16:30
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As received today after your visit

---------- Forwarded message ---------
From: **Nina Franklin** <NFranklin@lambeth.gov.uk>
Date: Thu, Jun 16, 2022 at 12:26 PM
Subject: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliverbernard521@gmail.com <Oliverbernard521@gmail.com>
Cc: Janet Coote <JCoote@lambeth.gov.uk>, Margaret Akinso <MAkinso@lambeth.gov.uk>

Dear Mr Bernard,

I have been informed by our barrister that we are required to email you a copy of the draft court order that was made on Friday 10 June 2022.

A copy has been sent to the Judge for his approval. Once we receive a copy of the courts sealed version and a hearing date, this will be provided to you.

Yours sincerely,

Nina Franklin

Assistant Lawyer

Housing Legal Services

Integrated Support

London Borough of Lambeth

PO Box 733

WINCHESTER

SO23 5DH

Tel: 020 79262505

Mobile:07958 493209

Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

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From: Oliver Bernard
Sent: 01 July 2022 09:05:23
To: Emily Black
Subject: Fwd: Auto Reply

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

---------- Forwarded message ---------
From: **Clerkenwell & Shoreditch, Enquiries**
<enquiries.clerkenwellandshoreditch.countycourt@justice.gov.uk>
Date: Thu, Jun 16, 2022 at 10:22 AM
Subject: Auto Reply
To: Oliver Bernard <oliverbernard521@gmail.com>

Thank you for your email, which has been received by the court. Please allow 15 days before you contact the Court again.

You may receive a direct reply via email or in writing depending on the nature of the query.

Please note that from **24th August 2020** legal professionals must make Financial Remedy consent applications using the Online Financial Remedy consent order service. To register for this service ('My HMCTS') and to find further information, please visit the following link: https://www.gov.uk/guidance/hmcts-online-services-for-legal-professionals

The practice direction to support this change (PD36T) will be issued on 24th August 2020 and makes temporarily modifications to PD41B. This makes the use of the online system mandatory for consent applications where the applicant is legally represented, unless one of the following exceptions applies:

- The application is for a Variation order
- There are existing Financial Remedy Proceedings
- The matter is a Civil Partnership or Judicial Separation case

If one of the above exceptions applies, you should issue your application via paper.

Legal Professionals can also use the MyHMCTS service to issue divorce and Probate proceedings.

PLEASE NOTE: Parties must comply with the provisions of Civil Procedure Rule 39.8 when communicating with the Court Office for such communication will be returned.

Please follow the rule 39.8, information can be found on the link below.

https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part39#com

The rest of this automated message provides information that customers often find useful.

With the exception of Trial Bundles, or large page items please do not send hard copies of emails as this can lead to duplication of work and processing.

It is helpful to the court if your subject line in all emails contains the Case number, hearing date and a brief description of the type of application/hearing.

PLEASE NOTE THE COURT ARE UNABLE TO PRINT EMAILS WITH ATTACHMENTS THAT EXCEED 50MB

Website links

Further details about this county court, such as direct telephone lines, can be found by typing in the court name at:

http://www.hmcourts-service.gov.uk/HMCSCourtFinder

Court forms can be obtained from the HMCS website (please select ‘County Court’ from the drop down menu):

http://www.hmcourts-service.gov.uk/HMCSCourtFinder/FormFinder.do

For information on court fees go to:

http://www.hmcourts-service.gov.uk/infoabout/fees/index.htm

Issuing a claim for Money or Possession of Property – MCOL & PCOL

-

If you would like to issue a claim for money or property you can do so 24 hours a day, 7 days a week by visiting:

www.moneyclaim.gov.uk or

www.possessionclaim.gov.uk

You will save £50 by issuing a claim for possession of property online rather than sending it to the court.

The fees for issuing a money claim are also cheaper, with savings ranging from £5 to £30 depending on the sum you are claiming.

-

Legal Advice

If you are uncertain how to proceed, the Civil Procedure Rules available on the Ministry of Justice website - http://www.justice.gov.uk – provide details. On many occasions it is best for people to seek professional legal advice from a solicitor, legal executive, legal advice agency or Citizens Advice Bureau. You can also contact Community Legal Advice for free legal advice on 0845 345 4 345 or via their website at http://www.communitylegaladvice.org.uk/

Here is how HMCTS uses personal data about you

This e-mail and any attachments is intended only for the attention of the addressee(s). Its unauthorised use, disclosure, storage or copying is not permitted. If you are not the intended recipient, please destroy all copies and inform the sender by return e-mail. Internet e-mail is not a secure medium. Any reply to this message could be intercepted and read by someone else. Please bear that in mind when deciding whether to send material in response to this message by e-mail. This e-mail (whether you are the sender or the recipient) may be monitored, recorded and retained by the Ministry of Justice. Monitoring / blocking software may be used, and e-mail content may be read at any time. You have a responsibility to ensure laws are not broken when composing or forwarding e-mails and their contents.

From: Oliver Bernard
Sent: 01 July 2022 09:03:40
To: Emily Black
Subject: Fwd: Lambeth v Oliver Bernard, Claim No. J01EC769 - NEXT HEARING IS ON 23/6/22 AT 2.30 PM
Attachments: Lettersenttodefendant-V1.doc, DEFENDANTSCOPYOFINJUCTIONORDER10622pdf-V1.pdf

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

---------- Forwarded message ---------
From: **Nina Franklin** <NFranklin@lambeth.gov.uk>
Date: Fri, Jun 17, 2022 at 12:34 PM
Subject: RE: Lambeth v Oliver Bernard, Claim No. J01EC769 - NEXT HEARING IS ON 23/6/22 AT 2.30 PM
To: Oliverbernard521@gmail.com <Oliverbernard521@gmail.com>
Cc: Janet Coote <JCoote@lambeth.gov.uk>, Margaret Akinso <MAkinso@lambeth.gov.uk>

Dear Mr Bernard,

Further to my email below, please find attached a copy of the courts sealed order that we received this morning.

Court procedure requires that a copy of this order is delivered to you personally. We have therefore made arrangements with our process server to deliver this to you.

Yours sincerely,

Nina Franklin

Assistant Lawyer

Housing Legal Services

Integrated Support

London Borough of Lambeth

PO Box 733

WINCHESTER

SO23 5DH

Tel: 020 79262505

Mobile:07958 493209

Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

Please consider the environment before printing this e-mail

From: Nina Franklin
Sent: 16 June 2022 12:27
To: Oliverbernard521@gmail.com
Cc: Janet Coote <JCoote@lambeth.gov.uk>; Margaret Akinso <MAkinso@lambeth.gov.uk>
Subject: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

Dear Mr Bernard,

I have been informed by our barrister that we are required to email you a copy of the draft court order that was made on Friday 10 June 2022.

A copy has been sent to the Judge for his approval. Once we receive a copy of the courts sealed version and a hearing date, this will be provided to you.

Yours sincerely,

Nina Franklin

Assistant Lawyer

Housing Legal Services

Integrated Support

London Borough of Lambeth

PO Box 733

WINCHESTER

SO23 5DH

Tel: 020 79262505

Mobile:07958 493209

Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

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From: Oliver Bernard
Sent: 01 July 2022 09:06:37
To: Emily Black
Subject: Fwd: Lambeth Sign up - 75 William Bonney Estate

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---------- Forwarded message ---------
From: **Sharnay Hamilton** <SHamilton1@lambeth.gov.uk>
Date: Fri, May 20, 2022 at 4:41 PM
Subject: Lambeth Sign up - 75 William Bonney Estate
To: Oliver Bernard <OLIVERBERNARD521@gmail.com>

Hi Oliver,

As discussed, I have re-arranged for you to pick up the keys and sign tenancy agreement, for the above property on **Monday 23rd May at 11.30AM** at the **Lambeth Civic centre, 6 Brixton Hill, London SW2 1EG**. When you arrive please go to front reception.

If you have any questions, do not hesitate to let me know.

Kind regards,

Sharnay Hamilton

Income Maximisation Officer

Housing Services

Email:Shamilton1@lambeth.gov.uk

T: 0207 926 3049

www.lambeth.gov.uk

Kind regards,

Sharnay Hamilton

Income Maximisation Officer

Housing Services

Email:Shamilton1@lambeth.gov.uk

T: 0207 926 3049

www.lambeth.gov.uk

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From: Oliver Bernard
Sent: 01 July 2022 09:06:54
To: Emily Black
Subject: Fwd: PART 1 Lambeth Sign up - 75 William Bonney Estate

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---------- Forwarded message ---------
From: **Sharnay Hamilton** <SHamilton1@lambeth.gov.uk>
Date: Wed, May 18, 2022 at 2:57 PM
Subject: PART 1 Lambeth Sign up - 75 William Bonney Estate
To: Oliver Bernard <OLIVERBERNARD521@gmail.com>

Hi Oliver,

As discussed, I have arranged for you to pick up the keys and sign tenancy agreement, for the above property on **Friday 20th May at 12.30PM** at the **Lambeth Civic centre, 6 Brixton Hill, London SW2 1EG**. When you arrive please go to front reception.

I will be sending you a PART 2 email within the next few minutes titled *Lambeth Council Tenancy Agreement Handbook and New tenant assessment,* which is a online application form. PLEASE ENSURE ALL IS COMPLETE BEFORE YOUR APPOINTMENT. On PAGE 4, it will ask you about rent payment, please just type in under payment reference "00000000" and **£ 0.00** under payment amount.

If you have any questions, do not hesitate to let me know.

Kind regards,

Sharnay Hamilton

Income Maximisation Officer

Housing Services

Email:Shamilton1@lambeth.gov.uk

T: 0207 926 3049

www.lambeth.gov.uk

Kind regards,

Sharnay Hamilton

Income Maximisation Officer

Housing Services

Email:Shamilton1@lambeth.gov.uk

T: 0207 926 3049

www.lambeth.gov.uk

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From: Oliver Bernard
Sent: 01 July 2022 09:07:31
To: Emily Black
Subject: Fwd: Lambeth Sign up details - 33 Carfax

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---------- Forwarded message ---------
From: **Sharnay Hamilton** <SHamilton1@lambeth.gov.uk>
Date: Wed, May 18, 2022 at 11:27 AM
Subject: RE: Lambeth Sign up details - 33 Carfax
To: Oliver Bernard <OLIVERBERNARD521@gmail.com>

Hi Oliver,

I have received your voicemail, if you see the email below which I sent to you after your sign up, I emailed you explaining on **point 3,** what you should claim for your rent (Universal credit). you are currently at a sheltered accommodation, which is still under Lambeth Council. I have been told you will be signing up for a new lambeth property 76 William Bonney, my colleague who was going to sign you up is off for the rest of week, so I will be calling you later today to sign you up for 76 william bonney on her behalf.

Kind regards,

Sharnay Hamilton

Income Maximisation Officer

Housing Services

Email:Shamilton1@lambeth.gov.uk

T: 0207 926 3049

www.lambeth.gov.uk

From: Sharnay Hamilton
Sent: 15 March 2022 14:19
To: Oliver Bernard <OLIVERBERNARD521@GMAIL.COM>
Subject: Lambeth Sign up details - 33 Carfax

Hi Oliver,

As discussed, below are the main points from today's sign up:

1. Call British gas to set up your electric meter with them, let them know you are the new resident of 33 Carfax If there is a debt on your meter let British gas know, and they will give you instructions on how to get it cleared. Make sure the all the switches including red switch on the appliance/electrical board Is turned ON.

2..If you have a repair issue or concern, please **email me with a picture included,** this is for the first 6 weeks only. After 6 weeks repair issues go through to the call centre. If it is something urgent that happens and I am not available, you can call the call centre anytime from now.

3. You will need to Complete your change of circumstance on **Universal Ccredit journal on 21st March** to inform you have moved and submit your rent details, Please then call Lambeth rent team after to discuss UC and payments going forward. **Please remember** that Your rent changes every April and this year it will change on **APRIL 4th,** you will need to ask the rent team what the change will be so that , You can inform UC of this change on 4thApril. If you need any benefit advice or income management support, please let the rent team know.

4. Call Thames water to set up water account, if you let them know that you are on benefits and provide proof of this, they will offer you up to 50% off your water bill.

5. call council tax next week to apply for council tax exemption

I hope this helps, All the numbers needed are on the "**useful contact sheet**" I gave you. If you have any further questions, please let me know. All the best!

Rent officer details:

Denise Baillie

DBaillie@lambeth.gov.uk

020 7926 3884

Housing Officer:

Millicent Ampaw

MAmpaw@lambeth.gov.uk

020 7926 1496

Kind regards,

Sharnay Hamilton

Income Maximisation Officer

Housing Services

Email:Shamilton1@lambeth.gov.uk

T: 0207 926 3049

www.lambeth.gov.uk

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From: Oliver Bernard
Sent: 01 July 2022 09:10:16
To: Emily Black
Subject: Fwd: Previous address

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---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Tue, Jun 21, 2022 at 1:56 PM
Subject: Re: Previous address
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>

27 THE DRIVE Thorntonheath Croydon CR7 8LB

On Mon, Jun 20, 2022 at 2:09 PM Miriam Hargreaves <MHargreaves@lambeth.gov.uk> wrote:

> Just emailing Lambeth Temp Accom now – what was your previous address that you are still being charged for?
>
> Thanks
>
> Miriam Hargreaves
>
> Pronounced Mi-re-am Har-greeves
>
> Pronouns: Her/She
>
>
>
>
> **Social Worker**
>
> Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

380 Streatham High Road

SW16 6HP

Tel: 0207 926 9550

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From: Oliver Bernard
Sent: 01 July 2022 09:10:40
To: Emily Black
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,

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---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Mon, Jun 20, 2022 at 12:04 PM
Subject: RE: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Thank you for the update, I will copy our email chain into our system records so there is a note of it on your casefile. It might be helpful if you list all the solicitors you have contacted so we can put this as evidence of what has have tried, without success.

Hope Ace of Clubs can help today,

Kind Regards,

Miriam

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 20 June 2022 10:42
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Re: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,

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No i have not yet had any luck with the solicitors i,ve called so far. i will attend the ACE of Clubs and hope to speak to someone at noon today.I would like you to keep a record of this as everything seem to be at sort notice, I intend to complain to Lambeth complaints about there service as well to LGO

On Mon, Jun 20, 2022 at 10:22 AM Miriam Hargreaves <MHargreaves@lambeth.gov.uk> wrote:

> Hi Oliver,
>
> Court should have informed you, but just to say the hearing date has now been set for **Clerkenwell & Shoreditch County Court on Thursday 23/06/2022 AT 2.30 PM.**
>
> Have you managed to find a solicitor yet? I have advised housing that you are having lots of difficulty with this.
>
> I am just completing my assessment of your needs which conclude as we discussed that you are not eligible for services. When this has been signed off I will send you a copy.
>
> Kind Regards,
>
> Miriam
>
> Miriam Hargreaves
>
> Pronounced Mi-re-am Har-greeves
>
> Pronouns: Her/She

Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

380 Streatham High Road

SW16 6HP

Tel: 0207 926 9550

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 16 June 2022 16:30
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As received today after your visit

---------- Forwarded message ---------
From: **Nina Franklin** <NFranklin@lambeth.gov.uk>
Date: Thu, Jun 16, 2022 at 12:26 PM
Subject: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliverbernard521@gmail.com <Oliverbernard521@gmail.com>
Cc: Janet Coote <JCoote@lambeth.gov.uk>, Margaret Akinso <MAkinso@lambeth.gov.uk>

Dear Mr Bernard,

I have been informed by our barrister that we are required to email you a copy of the draft court order that was made on Friday 10 June 2022.

A copy has been sent to the Judge for his approval. Once we receive a copy of the courts sealed version and a hearing date, this will be provided to you.

Yours sincerely,

Nina Franklin

Assistant Lawyer

Housing Legal Services

Integrated Support

London Borough of Lambeth

PO Box 733

WINCHESTER

SO23 5DH

Tel: 020 79262505

Mobile:07958 493209

Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

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From: Oliver Bernard
Sent: 01 July 2022 09:10:57
To: Emily Black
Subject: Fwd: Automatic reply: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,

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---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Mon, Jun 20, 2022 at 10:42 AM
Subject: Automatic reply: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,
To: Oliver Bernard <oliverbernard521@gmail.com>

Thank you for your email.

I am on AMHP duty until 27/06/22 with limited access to my emails. If your query is urgent please contact Duty on livingwellcentresocialwork@lambeth.gov.uk otherwise I will respond upon my return to my usual role.

Kind Regards

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From: Oliver Bernard
Sent: 01 July 2022 10:55:56
To: Emily Black
Subject: CCTV To Nina Franklin
Attachments: 16.06.2022_20.38.49_REC TO Nina Franklin.mp4

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I,ve sent this as it was mentioned at court. Lambeth received it when I last attended.

From: oliver bernard
Sent: 01 August 2022 08:22:26
To: Emily Black
Subject: Scan_20220801.bmp
Attachments: Scan_20220801.bmp

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Sent from Mail for Windows

From: Oliver Bernard
Sent: 01 August 2022 18:51:26
To: Emily Black
Subject: Re: Your housing case (BER374/1)

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

right now I am not with a doctor as you know, the assistance from Olivia will not help my case. I can look at the footage for the speakers but that is not the issue raised in the injunction. The phone records are on their way as I have requested them and will check to see how long it will be before they get here. Last but not least, the medication I am taking is ok.
I have not received the legal aid papers yet

On Mon, Aug 1, 2022 at 12:20 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for sending various documents over the weekend.
>
> Please can you let me know the following:
>
> - The prescription says the next review date is 1 August 2022. Do you know if that review is happening? If so, who is carrying out the review?
> - Are you currently taking all of the medications that are listed on your prescription?
> - Were you able to get hold of your phone records to show your call to the police on 27 April?
> - Were you able to confirm what date it was that you got rid of your speakers?
> - Have you followed up on the appointment offered by Olivia Laidlaw?
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

tv edwards
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The Legal 500 United Kingdom Leading Firm 2022

Important Cyber Crime Alert: Online fraud is a REAL threat. Our bank details will be provided to you at the beginning of your transaction and will NOT CHANGE. If you receive a communication asking you to make payment to bank details which differ from those already provided, DO NOT transfer any money and speak to us as soon as possible. DO NOT transfer any money to us without first calling to confirm the transaction. We can accept NO LIABILITY for monies transferred to incorrect bank accounts.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit http://www.mimecast.com

From: Oliver Bernard
Sent: 01 August 2022 19:14:21
To: Emily Black
Subject: Fwd: Your remote diabetes education booking

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

The reason i forward this email is just to show you that i handle my medication well

---------- Forwarded message ---------
From: **Diabetes Book and Learn** <noreply@diabetesbooking.co.uk>
Date: Mon, Sep 13, 2021 at 4:39 PM
Subject: Your remote diabetes education booking
To: <oliverbernard521@gmail.com>

Dear Oliver Bernard

You have successfully booked to your diabetes education course – a free education programme to provide support and advice on how to self-manage your diabetes.

You have been booked onto the Virtual Face to Face Live Well Course. Diabetes education courses are designed to offer you support with your lifestyle choices. Courses are usually delivered in English unless otherwise indicated.

Your Course Details

Date: 11th October 2021

Time: 10:00

Course Access Details

Microsoft Teams meeting Join on your computer or mobile app:
https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZTMzOWU3ZjEtY2RmNC00MzRiLTk4MTktYTgzZDA4ZTExZWQz%40thread.v2/0?context=%7b%22Tid%22%3a%2237c354b2-85b0-47f5-b222-07b48d774ee3%22%2c%22Oid%22%3a%22d2efa7fb-6729-4048-91aa-458ac6ad7423%22%7d

Your course will be taking place on Microsoft Teams. Please follow the below link if you need any guidance on downloading Microsoft Teams for the first time, or getting set up ahead of your course. You will also find access to support, as well as tutorial videos and how-to guides on using https://support.microsoft.com/en-gb/teams.

If you are no longer able to attend, please contact us on 020 3474 5500 so we can arrange for someone else to take your place and help you choose an alternative course. If you have any further questions, please do not hesitate to contact us on 020 3474 5500 or speak to your healthcare professional.

Yours sincerely

The Diabetes Book & Learn Team

Diabetes Book & Learn is an NHS service commissioned by the 12 CCGs across south London delivered by Spirit Healthcare and Priority Digital Health.

Please note, in attending a diabetes education course with your chosen course provider you are consenting to the collection, processing and storage of information regarding your referral. We share details of your attendance and agreed outcomes with your GP Practice. Your information is used to monitor the effectiveness of the course, with anonymised reports shared with the local NHS. Please be assured that you cannot be identified from the data. All information is stored confidentially, securely and in accordance with the Data Protection Act 2018.

From: Oliver Bernard
Sent: 01 August 2022 19:25:58
To: Emily Black
Subject: Fwd: Automatic reply: Band B letter From sevenoaks council

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

this use to be my support worker

---------- Forwarded message ---------
From: **Hannah Jelley** <Hannah.Jelley@thamesreach.org.uk>
Date: Sun, Sep 12, 2021 at 2:34 AM
Subject: Automatic reply: Band B letter From sevenoaks council
To: Oliver Bernard <oliverbernard521@gmail.com>

Hello,

Thank you for your email. I'm on annual leave on Monday 13th September & Tuesday 14th September. I will respond to your emails upon my return. If you are in need of immediate assistance please contact STAR@thamesreach.org.uk T:02036649546

Kind Regards,
Hannah

From: Oliver Bernard
Sent: 01 August 2022 20:01:38
To: Emily Black
Subject: Fwd: FW: Complaint Acknowledgement - 6502

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Unsolved issue

---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Wed, Jan 27, 2021 at 10:59 AM
Subject: Re: FW: Complaint Acknowledgement - 6502
To: Healey, Jane <Jane.Healey@swlstg.nhs.uk>

Thank you for the link where I can obtain the information that the doctors have hand on me me since I've been registered as mentally ill as part of my complaint I can now see that the information that the metropolitan police officer that tried to sit in on an interview with a particular Dr via Microsoft team was shared with the police and my criminal record was also given to the doctor's one in question Dr Matthew Green of Croydon North assessment liaison team who has also made a comment regarding my so-called files that is being kept on me since 1994 and includes my criminal record and this has been sent to a doctor surgery.

On Wed, 27 Jan 2021, 09:58 Healey, Jane, <Jane.Healey@swlstg.nhs.uk> wrote:

> Dear Mr Bernard,
>
> Many thanks for your email and I am sorry for the delay in you receiving a response to your complaint. This is currently with our executive team for sign off and approval and will be sent out as soon as it has been approved.
>
> With regard to copies of your records, you can access these from our Information Governance department who can be contacted by email at ssg-tr.infoservices@nhs.net
>
> Kind regards

Jane

Jane Healey

Experience and Governance Lead (Complaints)

South West London and St George's Mental Health Trust

Building 15, Springfield Hospital

London

SW17 7DJ

0203 513 6188

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 25 January 2021 20:35
To: Wells, Stephanie <Stephanie.Wells@swlstg.nhs.uk>
Subject: Re: Complaint Acknowledgement - 6502

I'm still waiting for a response to my complaint and would like to find out how would I go about getting all the information that that has been held on me by the mental health teams that I have been in contact with has he seen that is to come my complaint with with the with the disclosure of information to the police that certain files have been fabricated and information on me me has been doctored

On Fri, 18 Dec 2020, 12:29 Wells, Stephanie, <Stephanie.Wells@swlstg.nhs.uk> wrote:

> Dear Mr Bernard
>
> Please find attached an acknowledgement letter for the complaint you recently raised.

Kind Regards

Stephanie Wells

Governance Officer

T: 020 3513 6150

E: stephanie.wells@swlstg.nhs.uk

A: Quality Governance Department

Patient Experience Team

South West London and St George's Mental Health NHS Trust

Building 15, Entrance 5, Springfield University Hospital

61 Glenburnie Road, London SW17 7DJ

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For a full version of the disclaimer please visit https://www.swlstg-tr.nhs.uk/privacy-notice

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For a full version of the disclaimer please visit https://www.swlstg-tr.nhs.uk/privacy-notice

From: Oliver Bernard
Sent: 03 August 2022 19:35:44
To: Emily Black
Subject: Fwd: Lie Detectors UK

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I wonder the staff in my case would want to take a test
---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Tue, Jul 7, 2020 at 2:15 AM
Subject: Re: Lie Detectors UK
To: jason@liedetectors-uk.com <jason@liedetectors-uk.com>

would you be able to use it on to enquire about being MACED?

On Wed, Jun 10, 2020 at 7:31 AM jason@liedetectors-uk.com <jason@liedetectors-uk.com> wrote:

> My name is Jason Hubble and I'm the owner of Lie Detectors UK, awarded Best Polygraph Testing Company 2019/20 and Secretary of the UK Polygraph Association.
> We charge £399 all inclusive at our head office in Maidstone but also come to you and charge £499.
> Multiple tests are further discounted if required. Let me know if you would like a call to discuss this further and the best number to contact you on or reply to this email if you have any questions.
> Tests can be arranged at very short notice at a date and time to suit you.
> We only conduct single issue tests (3 questions on one issue like infidelity or theft) for maximum accuracy of 92% to 98%, you want the truth and this is the most accurate way of obtaining it. Results are same day with a full report.
> We have been trained to the highest standards by one of the best schools in America and are members of the American Polygraph Association and other relevant associations, you can find all qualified examiners here http://www.polygraph.org/find-a-member#/ I have been an advanced examiner over six years.
> For more information take a look at the links to our website below
> Homepage
> https://liedetectors-uk.com
> Frequently Asked Questions
> https://liedetectors-uk.com/faq/
> If you got to the bottom and read this well done !
>
> Kind regards
> Jason Hubble APA UKPA NPA

Chief Polygraph Examiner
Secretary of the UK Polygraph Association
Winner of Best Polygraph Testing Company 2019
www.liedetectors-uk.com
This e-mail and any files transmitted with it are confidential and intended solely for the use of the individual to whom it is addressed. If you are not the intended recipient of this message, please delete it and notify immediately the sender. The integrity of this message cannot be guaranteed to be timely secure, error or virus free. The sender will not therefore be considered liable for the contents, errors, distortions, falsifications or omissions or any loss. Unauthorised publication, use, dissemination, forwarding, printing or copying of this email and its associated attachments is strictly prohibited. Our business terms and conditions and privacy policy can be found on our website homepage, alternatively please request a copy.

> On Jun 10, 2020, at 1:20 AM, WordPress <info@liedetectors-uk.com> wrote:
>
> From: Oliver <oliverbernard521@gmail.com>
> Subject: Lie Detectors UK
>
> Location:
> 69 Mitcham road
>
> Message Body:
> The question and answer how is it arranged? I mean can the test be arranged for the person being tested can ask question to clear there own mind ?
>
> --
> This e-mail was sent from a contact form on LDUK

From: Oliver Bernard
Sent: 04 August 2022 07:37:50
To: Emily Black
Subject: confirmation of appointment

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

i would just like to confirm our appointment will on 9th August 2022

From: Oliver Bernard
Sent: 04 August 2022 07:50:54
To: Emily Black
Subject: confrimation appointment

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I will be on contact with these people and more IE BMA

Medical Research Council The_MRC 02 Aug

RT @NERCscience: Apply for funding to forecast, understand, mitigate and avoid vector-borne disease threats to the UK using a #OneHealth ap…

From: Oliver Bernard
Sent: 04 August 2022 08:18:56
To: Emily Black
Subject: Medical Records

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Be advised will be attaining full records form GPs and all reports With psychologist as i already have recorded interviews with none related to my case.

From: Oliver Bernard
Sent: 04 August 2022 22:38:48
To: Emily Black
Subject: This from my last address

CAUTION: This email originated from outside of the organisation. Do NOT click links or open attachments unless you recognise the sender and know the content is safe.

As you can see even though the paperwork says the last address was
problematic as you can see it was

From: Oliver Bernard
Sent: 05 July 2022 12:21:50
To: Emily Black
Subject: Re: Your housing case
Attachments: 2022-06-21_Statement (1).pdf

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

the date for 4th july will not be able to printed as nothing was spent on those days

On Tue, Jul 5, 2022 at 10:55 AM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> It was nice to meet you yesterday.
>
> I have not received any bank statements from you.
>
> As advised, I need statements for all five of your accounts from 4 April 2022 to 4 July 2022.
>
> If I do not receive these then I will not be able to assist you.
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit http://www.mimecast.com

From: Oliver Bernard
Sent: 05 July 2022 12:25:57
To: Emily Black
Subject: Re: Your housing case
Attachments: 2022-04-21_Statement (4).pdf, 2022-05-21_Statement (2).pdf

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

this is all i can send you for now

On Tue, Jul 5, 2022 at 12:21 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:
the date for 4th july will not be able to printed as nothing was spent on those days

On Tue, Jul 5, 2022 at 10:55 AM Emily Black <Emily.Black@tvedwards.com> wrote:

Dear Oliver,

It was nice to meet you yesterday.

I have not received any bank statements from you.

As advised, I need statements for all five of your accounts from 4 April 2022 to 4 July 2022.

If I do not receive these then I will not be able to assist you.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Oliver Bernard
Sent: 05 September 2022 20:28:12
To: Emily Black
Subject: assecment
Attachments: Scan_20220905.bmp

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

One more attachment listing assessments back from 2018 -19

From: Oliver Bernard
Sent: 06 July 2022 10:56:42
To: Emily Black
Subject: Re: Automatic reply: Your housing case
Attachments: HSBC 27.06.2022.jpg, hsbc.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

A you will see if nothing has been spent on any day it will not be recorded in the statements

On Tue, Jul 5, 2022 at 12:22 PM Emily Black <Emily.Black@tvedwards.com> wrote:

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I am out of the office on Tuesday 5 July, returning on Wednesday 6 July. My emails will not be checked in my absence.

If your message is urgent and cannot wait for my return, please contact Simon Fielding on 0203 440 8043 or Simon.Fielding@tvedwards.com.

Kind regards,

Emily Black

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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For more information please visit http://www.mimecast.com

From: Oliver Bernard
Sent: 06 July 2022 11:46:52
To: Emily Black
Subject: Re: Automatic reply: Your housing case
Attachments: metro07.07.2022.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

this is all i can access

On Wed, Jul 6, 2022 at 11:37 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
There are more to come From Metro Bank

On Wed, Jul 6, 2022 at 10:56 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
A you will see if nothing has been spent on any day it will not be recorded in the statements

On Tue, Jul 5, 2022 at 12:22 PM Emily Black <Emily.Black@tvedwards.com> wrote:

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Kind regards,

Emily Black

Emily Black

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From: Oliver Bernard
Sent: 06 July 2022 12:07:34
To: Emily Black
Subject: Re: Automatic reply: Your housing case
Attachments: Metro bank 06072022.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

This has no June statements. I don,t know why but will be ask if they still have problems with their system

On Wed, Jul 6, 2022 at 11:46 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
this is all i can access

On Wed, Jul 6, 2022 at 11:37 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
There are more to come From Metro Bank

On Wed, Jul 6, 2022 at 10:56 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
A you will see if nothing has been spent on any day it will not be recorded in the statements

On Tue, Jul 5, 2022 at 12:22 PM Emily Black <Emily.Black@tvedwards.com> wrote:

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I am out of the office on Tuesday 5 July, returning on Wednesday 6 July. My emails will not be checked in my absence.

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Kind regards,

Emily Black

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit http://www.mimecast.com

From: Oliver Bernard
Sent: 06 July 2022 11:37:55
To: Emily Black
Subject: Re: Automatic reply: Your housing case
Attachments: HalifaxIS23.03.2022.jpg, halifaxISA24.26.2022.jpg, HalifaxIweb22.03.2022.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

There are more to come From Metro Bank

On Wed, Jul 6, 2022 at 10:56 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:

A you will see if nothing has been spent on any day it will not be recorded in the statements

On Tue, Jul 5, 2022 at 12:22 PM Emily Black <Emily.Black@tvedwards.com> wrote:

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I am out of the office on Tuesday 5 July, returning on Wednesday 6 July. My emails will not be checked in my absence.

If your message is urgent and cannot wait for my return, please contact Simon Fielding on 0203 440 8043 or Simon.Fielding@tvedwards.com.

Kind regards,

Emily Black

Emily Black
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t: 0203 440 8329 f: 0203 357 9587
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From: Oliver Bernard
Sent: 06 July 2022 13:12:53
To: Emily Black
Subject: Re: Automatic reply: Your housing case
Attachments: metro bank transactions.jpg, metro banking statement.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

this is what i got from it

On Wed, Jul 6, 2022 at 12:07 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:
> This has no June statements. I don,t know why but will be ask if they still have problems with their system
>
> On Wed, Jul 6, 2022 at 11:46 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
> > this is all i can access
> >
> > On Wed, Jul 6, 2022 at 11:37 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
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> > >
> > > On Wed, Jul 6, 2022 at 10:56 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
> > > > A you will see if nothing has been spent on any day it will not be recorded in the statements
> > > >
> > > > On Tue, Jul 5, 2022 at 12:22 PM Emily Black <Emily.Black@tvedwards.com> wrote:
> > > >
> > > > CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.
> > > >
> > > > I am out of the office on Tuesday 5 July, returning on Wednesday 6 July. My emails will not be checked in my absence.
> > > >
> > > > If your message is urgent and cannot wait for my return, please contact Simon Fielding on 0203 440 8043 or Simon.Fielding@tvedwards.com.
> > > >
> > > > Kind regards,
> > > >
> > > > Emily Black

Emily Black

Trainee Solicitor

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This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit http://www.mimecast.com

From: Oliver Bernard
Sent: 06 October 2022 11:22:57
To: Chelsea & Westminster NHSFT;Emily Black
Subject: Re: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

On Wed, Oct 5, 2022 at 11:24 AM Chelsea & Westminster NHSFT <no-reply@drdoctor.co.uk> wrote:

Your appointment reminder

View appointment online

Chelsea and Westminster Hospital

Mon 10th Oct 12.00pm

OLIVER BERNARD,

Burns appointment reminder: Mon 10th Oct at 12.00pm at Chelsea and Westminster Hospital

View your appointment online: https://drdoctor.thirdparty.nhs.uk/pNAbM4FG9PWzV

For queries call 020 3315 6666

Please attend the hospital. Not attending costs NHS approx. £160.

Chelsea and Westminster Hospital
Burns Unit
Fifth Floor, Main Building
Chelsea and Westminster Hospital
369 Fulham Road
SW10 9NH
020 3315 6666

Chelsea and Westminster Hospital
NHS Foundation Trust

West Middlesex University Hospital | Chelsea and Westminster Hospital

Don't recognise this appointment?

Login for more details

Sent by DrDoctor on behalf of Chelsea & Westminster NHSFT

Want to change how you receive these emails?
You can unsubscribe from future emails

From: Oliver Bernard
Sent: 06 October 2022 11:31:48
To: Katie Brown
Subject: Fwd: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Thu, Oct 6, 2022 at 11:22 AM
Subject: Re: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital
To: Chelsea & Westminster NHSFT <no-reply@drdoctor.co.uk>, Emily Black <Emily.Black@tvedwards.com>

On Wed, Oct 5, 2022 at 11:24 AM Chelsea & Westminster NHSFT <no-reply@drdoctor.co.uk> wrote:

Your appointment reminder

View appointment online

Chelsea and Westminster Hospital

Mon 10th Oct 12.00pm

OLIVER BERNARD,

Burns appointment reminder: Mon 10th Oct at 12.00pm at Chelsea and Westminster Hospital

View your appointment online: https://drdoctor.thirdparty.nhs.uk/pNAbM4FG9PWzV

For queries call 020 3315 6666

Please attend the hospital. Not attending costs NHS approx. £160.

Chelsea and Westminster Hospital
Burns Unit
Fifth Floor, Main Building
Chelsea and Westminster Hospital
369 Fulham Road
SW10 9NH
020 3315 6666

NHS
Chelsea and Westminster Hospital
NHS Foundation Trust

West Middlesex University Hospital | Chelsea and Westminster Hospital

Don't recognise this appointment?

Login for more details

Sent by DrDoctor on behalf of Chelsea & Westminster NHSFT

Want to change how you receive these emails?
You can unsubscribe from future emails

From: Oliver Bernard
Sent: 07 July 2022 10:58:35
To: Emily Black
Subject: The book of my LAW

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

THE TALMUD

As these ever new testimonies to its value crowd upon us, we might be led into exaggerating its importance for the history of mankind.
Yet an old adage of its own says : "Above all things, study.
Whether for their sake, of learning or for any other reason, study.
For, whatever the motives that impel you at first, you will very soon love study for its own sake."
And thus even exaggerated expectations of the treasure-trove in the Talmud will have their value,
if they lead to the study of the work itself.

From: Oliver Bernard
Sent: 07 August 2022 09:03:16
To: Emily Black
Subject: Police on the 27th April

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I am still waiting on my call record but this was recorded on the day

WhatsApp Video 2022-08-07 at 8.50.25 AM.mp4

From: Oliver Bernard
Sent: 07 August 2022 09:21:19
To: Emily Black
Subject: Conversation in community Hall
Attachments: WhatsApp Audio 2022-08-07 at 9.15.31 AM.mp4

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

This is a recording as stated with staff before any problems were made by staff

From: Oliver Bernard
Sent: 07 August 2022 09:27:48
To: Emily Black
Subject: reports of me being problematic
Attachments: WhatsApp Video 2022-03-22 at 9.44.05 AM.mp4

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

This just show you that reports by the police given to Lambeth of accounts at the old address are not ture and will be dealt with as it has no real connection to the injunction matter and will sent ombudsman to look into Landlords of that address as a complaint was sent lambeth and they did nothing.

From: Oliver Bernard
Sent: 07 August 2022 10:06:11
To: Emily Black
Subject: 27 The drive

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Just one more of the old address Before the man in the last email moved in. I do have more but I think you get the point.

From: Oliver Bernard
Sent: 07 August 2022 10:07:52
To: Emily Black
Subject: Fwd: 27 The drive
Attachments: 20210209_230215.mp4

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Sun, Aug 7, 2022 at 10:06 AM
Subject: 27 The drive
To: Emily Black <Emily.Black@tvedwards.com>

Forgot to send attachment
Just one more of the old address Before the man in the last email moved in. I do have more but I think you get the point.

From: Oliver Bernard
Sent: 07 August 2022 11:03:48
To: Emily Black
Subject: To go to BMA
Attachments: Dr Matthew Green Side1.bmp, Dr Matthew Green Side 2.bmp

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

This just a start of misleading statements i would like to have looked into. The statements in letter are not true to on record

Dr Matthew Green Side 3.bmp
Dr Matthew Green Side 4.bmp

From: Oliver Bernard
Sent: 07 August 2022 11:20:38
To: Emily Black
Subject: To go to BMA
Attachments: Dr Matthew Green Side 5.bmp

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

These are not a true record of accounts

From: Oliver Bernard
Sent: 07 September 2022 14:08:25
To: Emily Black
Subject: Fabricated Evidence case
Attachments: Scan_20220907 (3).bmp, Scan_20220907 (2).bmp, Scan_20220907.bmp

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I am sending you the victims impact statement along with my address where I was living. You can look at what bLambeth and the police have given you. And see for yourself what is missing which is a lot after so many years No family statements where given WHY? no Police officers statements and more . I think I have the right to why. This case was not fair when even now this victim admits to herway of life and look where i lived at the time she says these things

From: Oliver Bernard
Sent: 07 September 2022 14:44:06
To: Emily Black
Subject: This was the police ?
Attachments: 20210209_230215.mp4

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

27 The Drive croydon

From: Oliver Bernard
Sent: 08 July 2022 13:56:51
To: Emily Black
Subject: Fwd: Appointment with mental health team

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

As you can see below i have been contacted Olivia Laidlaw and will be calling her after this Email. So you may get some information from her after our meeting.

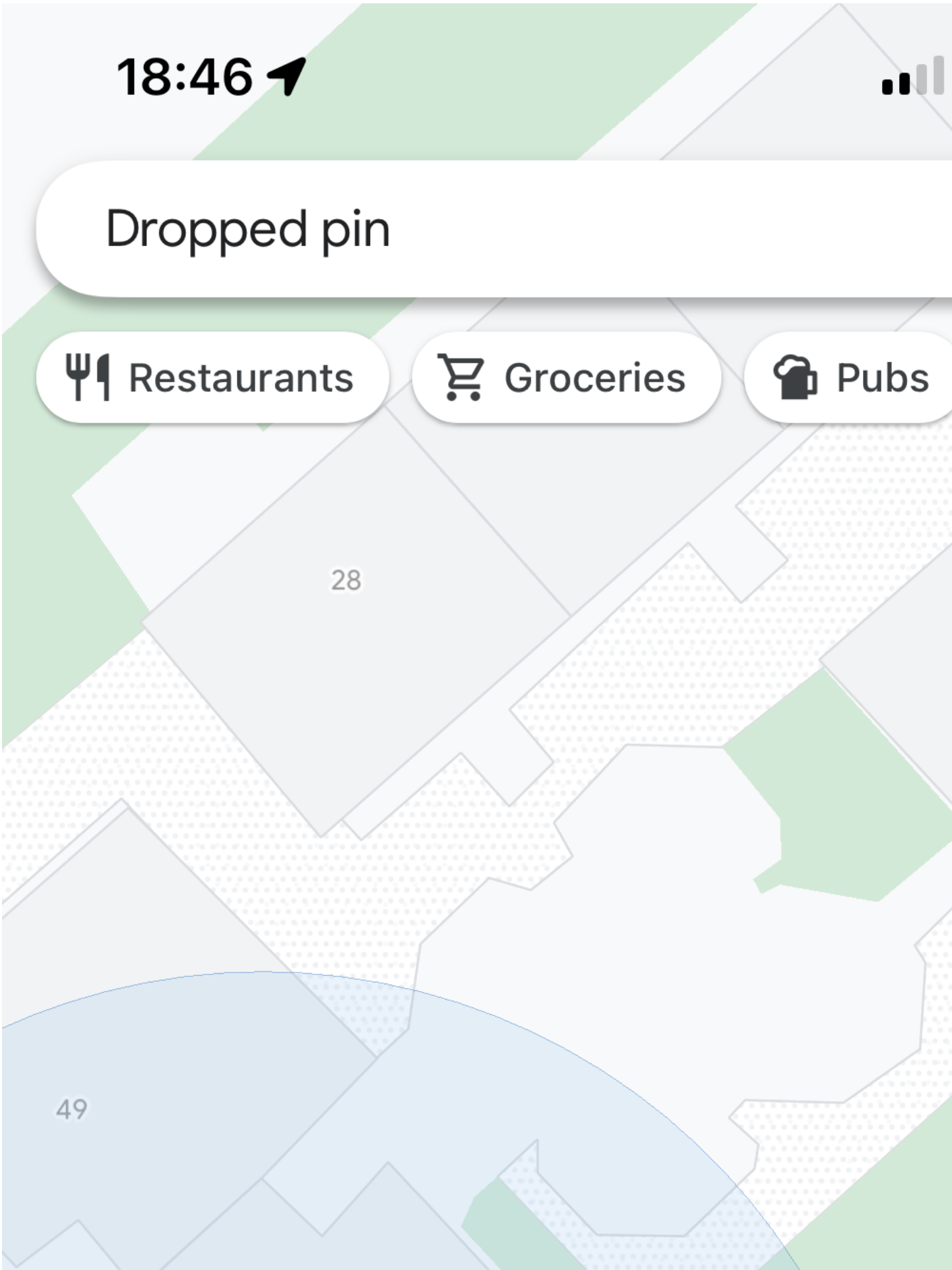
---------- Forwarded message ---------
From: **Laidlaw, Olivia** <Olivia.Laidlaw@slam.nhs.uk>
Date: Mon, Jul 4, 2022 at 2:37 PM
Subject: Appointment with mental health team
To: oliverbernard521@gmail.com <oliverbernard521@gmail.com>

Dear Oliver,
I hope you are well.
I am your allocated care coordinator with the community mental health team. I have tried to call your mobile but was not able to make contact.
I would like to offer you an appointment on Friday 8th July at 3pm or on Wednesday 13th July 10:30am. This would be at our team base at: *Gracefield Gardens Health Centre, 2-8 Gracefield Gardens, Streatham, SW16 2ST.*
This will be for an assessment to see if you have any mental health needs we can support you with.
I look forward to hearing from you.
Kind regards,
Olivia Laidlaw
Community Practitioner
Lambeth South West Short Term Support Service
Gracefield Gardens Health Centre, 2-8 Gracefield Gardens, Streatham, SW16 2ST
Tel Office/ Duty: 0203 228 8100/ 07808736003
South London and Maudsley NHS Foundation Trust

Should you need assistance out of hours please use the SLaM crisis line on 0800 731 2864 (freephone)

From: Oliver Bernard
Sent: 08 July 2022 18:55:54
To: Emily Black
Subject: I will show you the details when I get to workout the floor plan of the community hall above the red marker

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.


18:46
Dropped pin
Restaurants
Groceries
Pubs
28
49

From: Oliver Bernard
Sent: 08 September 2022 06:55:55
To: Emily Black
Subject: Re: Criminal Matter

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

The papers you mentioned to about me being under MAPPA and me being referred to move out London by Miss Cooht (Lambeth(and the police Which you side would a criminal matter

On Wed, Sep 7, 2022 at 4:08 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> I'm not sure which papers you are referring to. Please specify.
>
> Kind regards,
>
> Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

tv edwards SOLICITORS & ADVOCATES LLP
TOP RANKED Chambers UK 2022 TV Edwards LLP
The LEGAL 500 UNITED KINGDOM LEADING FIRM 2022

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Important Cyber Crime Alert: Online fraud is a REAL threat. Our bank details will be provided to you at the beginning of your transaction and will NOT CHANGE. If you receive a communication asking you to make payment to bank details which differ from those already provided, DO NOT transfer any money and speak to us as soon as possible. DO NOT transfer any money to us without first calling to confirm the transaction. We can accept NO LIABILITY for monies transferred to incorrect bank accounts.

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 07 September 2022 16:04
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Criminal Matter

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Please could you send the papers that you said were of criminal matters to Tosswil & Co solicitors

Phone number 02086749494 who look at them for me. Please retain a copy as part of case work file and I will use the link as you asked. I hope it works.

This email has been scanned for email related threats and delivered safely by Mimecast.
For more information please visit http://www.mimecast.com

From: Oliver Bernard
Sent: 08 October 2022 10:09:50
To: Emily Black
Subject: Oliver Vs Lambeth

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I have sent you numerous footage of this case. Mental health has nothing to do with it. As you will now get your chance to watch on you tube, as i am sending you a link again. where i have an interview and was not listened to, so please use the evidence i gave to you, or i will have to take the view that you are not really looking to submit anything on my behalf in this matter, nor is any of the advice you are giving regarding it in my defence. I am still waiting to find out when i make a statement to submit as a counterclaim to this.
The link below you will see, Is on YouTube, is almost a year to the date, and can be use to some effect, to make the judge look at how they can abused the system to make this claim.
https://youtu.be/8-8fBsHVdRQ

From: Oliver Bernard
Sent: 08 October 2022 12:21:24
To: Katie Brown
Subject: Fwd: Oliver Vs Lambeth

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---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Sat, Oct 8, 2022 at 10:09 AM
Subject: Oliver Vs Lambeth
To: Emily Black <Emily.Black@tvedwards.com>

I have sent you numerous footage of this case. Mental health has nothing to do with it. As you will now get your chance to watch on you tube, as i am sending you a link again. where i have an interview and was not listened to, so please use the evidence i gave to you, or i will have to take the view that you are not really looking to submit anything on my behalf in this matter, nor is any of the advice you are giving regarding it in my defence. I am still waiting to find out when i make a statement to submit as a counterclaim to this.
The link below you will see, Is on YouTube, is almost a year to the date, and can be use to some effect, to make the judge look at how they can abused the system to make this claim.
https://youtu.be/8-8fBsHVdRQ

From: Oliver Bernard
Sent: 10 October 2022 18:13:28
To: Katie Brown
Subject: Fwd: Your Action Against the Police enquiry

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As you now see the police have been acting illegal

---------- Forwarded message ---------
From: **Annie Benson** <annie.benson@hnksolicitors.com>
Date: Fri, Aug 26, 2022 at 10:27 AM
Subject: Your Action Against the Police enquiry
To: oliverbernard521@gmail.com <oliverbernard521@gmail.com>

Good morning,

I write further to the enquiry you made via our website regarding an action against the police enquiry.

I have attempted to contact you without success.

Should you wish to proceed with matters, please contact me on 0151 203 1104 or alternatively email me with a contact number and an appropriate time to call.

I look forward to hearing from you.

Kind Regards,

ANNIE BENSON
PARALEGAL | CLIENT SERVICE TEAM

e : annie.benson@hnksolicitors.com
w : www.hnksolicitors.com
t : 0151 203 1104

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From: Oliver Bernard
Sent: 10 October 2022 18:13:55
To: Emily Black
Subject: Fwd: Your Action Against the Police enquiry

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Mon, Oct 10, 2022 at 6:13 PM
Subject: Fwd: Your Action Against the Police enquiry
To: <Katie.Brown@tvedwards.com>

As you now see the police have been acting illegal

---------- Forwarded message ---------
From: **Annie Benson** <annie.benson@hnksolicitors.com>
Date: Fri, Aug 26, 2022 at 10:27 AM
Subject: Your Action Against the Police enquiry
To: oliverbernard521@gmail.com <oliverbernard521@gmail.com>

Good morning,

I write further to the enquiry you made via our website regarding an action against the police enquiry.

I have attempted to contact you without success.

Should you wish to proceed with matters, please contact me on 0151 203 1104 or alternatively email me with a contact number and an appropriate time to call.

I look forward to hearing from you.

Kind Regards,

ANNIE BENSON

PARALEGAL | CLIENT SERVICE TEAM

e : annie.benson@hnksolicitors.com

w : www.hnksolicitors.com

t : 0151 203 1104

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From: Oliver Bernard
Sent: 11 July 2022 14:30:08
To: Emily Black
Subject: Re: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

This is just one of the recording i have. i have audio recordings please wait for me to get them uploaded if you need them

CCTV 27.07.2022.mp4

On Fri, Jul 1, 2022 at 9:04 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:

---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Fri, Jun 17, 2022 at 10:04 AM
Subject: RE: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Nice to meet you yesterday. This is the order of what the judge agreed at last hearing just saying the injunction continues until next order and hearing is adjourned to allow for you to meet with me and also get legal representation. The judge will then consider if this injunction order should continue at next hearing.

They should email you when they get the next court date as this hasn't been set yet.

Here is the list of solicitors you could try and contact if haven't already done so

1. TV Edwards LLP - 18 St Johns Road, London, London, SW11 1PN, England or 35 - 37 Mile end road, E1 4TP – 020 3440 8314

2. Emin Read Solicitors - 25 Balham Hill, London, SW12 9DX, England - 020 7733 9898

3. Clapham Law LLP - 9 Bedford Road, Clapham, London, SW4 7SH, England - Tel:02072071916

4. Charles Allotey & Co - 140-142 Stockwell Road, London, United Kingdom, SW9 9TQ, England

Tel:02077386777

5. Leigh Day - eigh Day, Woodlands Day Centre, 16 Leigham Court Road, Streatham, London, SW16 2PJ, England

Tel:02076501200

6. Abbotts Martin - :

Lilford Business Centre, 61 Lilford Road, London, SE5 9HY, England Tel: 02078460285

I will let housing know you still have not been able to get a solicitor

Thanks

Miriam

Miriam Hargreaves

Pronounced Mi-re-am Har-greeves

Pronouns: Her/She

Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

380 Streatham High Road

SW16 6HP

Tel: 0207 926 9550

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 16 June 2022 16:30
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As received today after your visit

---------- Forwarded message ---------
From: **Nina Franklin** <NFranklin@lambeth.gov.uk>
Date: Thu, Jun 16, 2022 at 12:26 PM
Subject: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

To: Oliverbernard521@gmail.com <Oliverbernard521@gmail.com>
Cc: Janet Coote <JCoote@lambeth.gov.uk>, Margaret Akinso <MAkinso@lambeth.gov.uk>

Dear Mr Bernard,

I have been informed by our barrister that we are required to email you a copy of the draft court order that was made on Friday 10 June 2022.

A copy has been sent to the Judge for his approval. Once we receive a copy of the courts sealed version and a hearing date, this will be provided to you.

Yours sincerely,

Nina Franklin

Assistant Lawyer

Housing Legal Services

Integrated Support

London Borough of Lambeth

PO Box 733

WINCHESTER

SO23 5DH

Tel: 020 79262505

Mobile:07958 493209

Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

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From: Oliver Bernard
Sent: 11 July 2022 14:51:37
To: Emily Black
Subject: Re: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

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please stand by

On Mon, Jul 11, 2022 at 2:45 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Mr Bernard,
>
> Thank you for this. Are you able to send me the letters from Miriam and Zoe that you mentioned please?
>
> Kind regards,
>
> Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 11 July 2022 14:30
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

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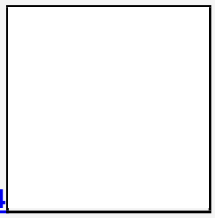

On Fri, Jul 1, 2022 at 9:04 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:

---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Fri, Jun 17, 2022 at 10:04 AM
Subject: RE: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Nice to meet you yesterday. This is the order of what the judge agreed at last hearing just saying the injunction continues until next order and hearing is adjourned to allow for you to meet with me and also get legal representation. The judge will then consider if this injunction order should continue at next hearing.

They should email you when they get the next court date as this hasn't been set yet.

Here is the list of solicitors you could try and contact if haven't already done so

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2. Emin Read Solicitors - 25 Balham Hill, London, SW12 9DX, England - 020 7733 9898

3. Clapham Law LLP - 9 Bedford Road, Clapham, London, SW4 7SH, England - Tel:02072071916

4. Charles Allotey & Co - 140-142 Stockwell Road, London, United Kingdom, SW9 9TQ, England

Tel:02077386777

5. Leigh Day - eigh Day, Woodlands Day Centre, 16 Leigham Court Road, Streatham, London, SW16 2PJ, England

Tel:02076501200

6. Abbotts Martin - :

Lilford Business Centre, 61 Lilford Road, London, SE5 9HY, England Tel: 02078460285

I will let housing know you still have not been able to get a solicitor

Thanks

Miriam

Miriam Hargreaves

Pronounced Mi-re-am Har-greeves

Pronouns: Her/She

Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

380 Streatham High Road

SW16 6HP

Tel: 0207 926 9550

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 16 June 2022 16:30
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

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---------- Forwarded message ---------
From: **Nina Franklin** <NFranklin@lambeth.gov.uk>
Date: Thu, Jun 16, 2022 at 12:26 PM
Subject: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliverbernard521@gmail.com <Oliverbernard521@gmail.com>
Cc: Janet Coote <JCoote@lambeth.gov.uk>, Margaret Akinso <MAkinso@lambeth.gov.uk>

Dear Mr Bernard,

I have been informed by our barrister that we are required to email you a copy of the draft court order that was made on Friday 10 June 2022.

A copy has been sent to the Judge for his approval. Once we receive a copy of the courts sealed version and a hearing date, this will be provided to you.

Yours sincerely,

Nina Franklin

Assistant Lawyer

Housing Legal Services

Integrated Support

London Borough of Lambeth

PO Box 733

WINCHESTER

SO23 5DH

Tel: 020 79262505

Mobile:07958 493209

Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

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Disclaimers apply - full details at www.lambeth.gov.uk/email-disclaimer

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From: Oliver Bernard
Sent: 11 July 2022 14:53:23
To: Emily Black
Subject: Re: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
Attachments: image001.png

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Miriam Hargreaves Jun 17, 2022, 10:04 AM

to me

Hi Oliver,

Nice to meet you yesterday. This is the order of what the judge agreed at last hearing just saying the injunction continues until next order and hearing is adjourned to allow for you to meet with me and also get legal representation. The judge will then consider if this injunction order should continue at next hearing.

They should email you when they get the next court date as this hasn't been set yet.

Here is the list of solicitors you could try and contact if haven't already done so

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2. Emin Read Solicitors - 25 Balham Hill, London, SW12 9DX, England - 020 7733 9898

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4. Charles Allotey & Co - 140-142 Stockwell Road, London, United Kingdom, SW9 9TQ, England

Tel:02077386777

5. Leigh Day - eigh Day, Woodlands Day Centre, 16 Leigham Court Road, Streatham, London, SW16 2PJ, England

Tel:02076501200

6. Abbotts Martin - :

Lilford Business Centre, 61 Lilford Road, London, SE5 9HY, England Tel: 02078460285

I will let housing know you still have not been able to get a solicitor

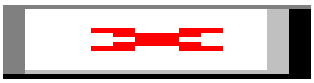
Thanks

Miriam

Miriam Hargreaves

Pronounced Mi-re-am Har-greeves

Pronouns: Her/She



Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

380 Streatham High Road

SW16 6HP

Tel: 0207 926 9550

On Mon, Jul 11, 2022 at 2:51 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:
please stand by

On Mon, Jul 11, 2022 at 2:45 PM Emily Black <Emily.Black@tvedwards.com> wrote:

Dear Mr Bernard,

Thank you for this. Are you able to send me the letters from Miriam and Zoe that you mentioned please?

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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SOLICITORS & ADVOCATES LLP

tvedwards.com | Legal & regulatory information | Your Feedback | Email received in error? | Cyber Crime Alert – Our bank details will never change

Important Cyber Crime Alert: Online fraud is a REAL threat. Our bank details will be provided to you at the beginning of your transaction and will NOT CHANGE. If you receive a communication asking you to make payment to bank details which differ from those already provided, DO NOT transfer any money and speak to us as soon as possible. DO NOT transfer any money to us without first calling to confirm the transaction. We can accept NO LIABILITY for monies transferred to incorrect bank accounts.

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 11 July 2022 14:30
To: Emily Black <Emily.Black@tvedwards.com>

Subject: Re: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

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CCTV 27.07.2022.mp4

On Fri, Jul 1, 2022 at 9:04 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:

---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Fri, Jun 17, 2022 at 10:04 AM
Subject: RE: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

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4. Charles Allotey & Co - 140-142 Stockwell Road, London, United Kingdom, SW9 9TQ, England

Tel:02077386777

5. Leigh Day - eigh Day, Woodlands Day Centre, 16 Leigham Court Road, Streatham, London, SW16 2PJ, England

Tel:02076501200

6. Abbotts Martin - :

Lilford Business Centre, 61 Lilford Road, London, SE5 9HY, England Tel: 02078460285

I will let housing know you still have not been able to get a solicitor

Thanks

Miriam

Miriam Hargreaves

Pronounced Mi-re-am Har-greeves

Pronouns: Her/She

Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

380 Streatham High Road

SW16 6HP

Tel: 0207 926 9550

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 16 June 2022 16:30
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

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As received today after your visit

---------- Forwarded message ---------
From: **Nina Franklin** <NFranklin@lambeth.gov.uk>
Date: Thu, Jun 16, 2022 at 12:26 PM
Subject: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliverbernard521@gmail.com <Oliverbernard521@gmail.com>
Cc: Janet Coote <JCoote@lambeth.gov.uk>, Margaret Akinso <MAkinso@lambeth.gov.uk>

Dear Mr Bernard,

I have been informed by our barrister that we are required to email you a copy of the draft court order that was made on Friday 10 June 2022.

A copy has been sent to the Judge for his approval. Once we receive a copy of the courts sealed version and a hearing date, this will be provided to you.

Yours sincerely,

Nina Franklin

Assistant Lawyer

Housing Legal Services

Integrated Support

London Borough of Lambeth

PO Box 733

WINCHESTER

SO23 5DH

Tel: 020 79262505

Mobile:07958 493209

Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

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Disclaimers apply - full details at www.lambeth.gov.uk/email-disclaimer

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From: Oliver Bernard
Sent: 11 July 2022 14:55:57
To: Emily Black
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

this is all i can find at the moment

---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Fri, Jul 1, 2022 at 9:10 AM
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,
To: Emily Black <Emily.Black@tvedwards.com>

---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Mon, Jun 20, 2022 at 12:04 PM
Subject: RE: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Thank you for the update, I will copy our email chain into our system records so there is a note of it on your casefile. It might be helpful if you list all the solicitors you have contacted so we can put this as evidence of what has have tried, without success.

Hope Ace of Clubs can help today,

Kind Regards,

Miriam

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 20 June 2022 10:42
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Re: FW: Lambeth v Oliver Bernard, Claim No. J01EC769,

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No i have not yet had any luck with the solicitors i,ve called so far. i will attend the ACE of Clubs and hope to speak to someone at noon today.I would like you to keep a record of this as everything seem to be at sort notice, I intend to complain to Lambeth complaints about there service as well to LGO

On Mon, Jun 20, 2022 at 10:22 AM Miriam Hargreaves <MHargreaves@lambeth.gov.uk> wrote:

> Hi Oliver,
>
> Court should have informed you, but just to say the hearing date has now been set for **Clerkenwell & Shoreditch County Court on Thursday 23/06/2022 AT 2.30 PM.**
>
> Have you managed to find a solicitor yet? I have advised housing that you are having lots of difficulty with this.
>
> I am just completing my assessment of your needs which conclude as we discussed that you are not eligible for services. When this has been signed off I will send you a copy.
>
> Kind Regards,

Miriam

Miriam Hargreaves

Pronounced Mi-re-am Har-greeves

Pronouns: Her/She

Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

380 Streatham High Road

SW16 6HP

Tel: 0207 926 9550

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 16 June 2022 16:30
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

As received today after your visit

---------- Forwarded message ---------
From: **Nina Franklin** <NFranklin@lambeth.gov.uk>
Date: Thu, Jun 16, 2022 at 12:26 PM
Subject: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliverbernard521@gmail.com <Oliverbernard521@gmail.com>
Cc: Janet Coote <JCoote@lambeth.gov.uk>, Margaret Akinso <MAkinso@lambeth.gov.uk>

Dear Mr Bernard,

I have been informed by our barrister that we are required to email you a copy of the draft court order that was made on Friday 10 June 2022.

A copy has been sent to the Judge for his approval. Once we receive a copy of the courts sealed version and a hearing date, this will be provided to you.

Yours sincerely,

Nina Franklin

Assistant Lawyer

Housing Legal Services

Integrated Support

London Borough of Lambeth

PO Box 733

WINCHESTER

SO23 5DH

Tel: 020 79262505

Mobile:07958 493209

Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

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From: Oliver Bernard
Sent: 11 July 2022 15:05:48
To: Emily Black
Subject: Fwd: The Universal Declaration of Human Rights
Attachments: Dr Matthew Green Side 2.bmp

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zoe matthew green she could be the dauther of this man ? i have the call she made to me somewhere if you want the rest of his documents?
---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Mon, Jun 6, 2022 at 3:18 PM
Subject: The Universal Declaration of Human Rights
To: <brussels@lawsociety.org.uk>

pleas read all documents

From: Oliver Bernard
Sent: 11 July 2022 15:06:59
To: Emily Black
Subject: Fwd: The Universal Declaration of Human Rights
Attachments: Dr Matthew Green Side 5.bmp

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here they are anyway
---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Mon, Jun 6, 2022 at 3:25 PM
Subject: The Universal Declaration of Human Rights
To: <brussels@lawsociety.org.uk>

please read all documents
Note
notes by doctor not correct neither is anybody named to which patience is refered

From: Oliver Bernard
Sent: 11 July 2022 15:10:30
To: Emily Black
Subject: Fwd: The Universal Declaration of Human Rights

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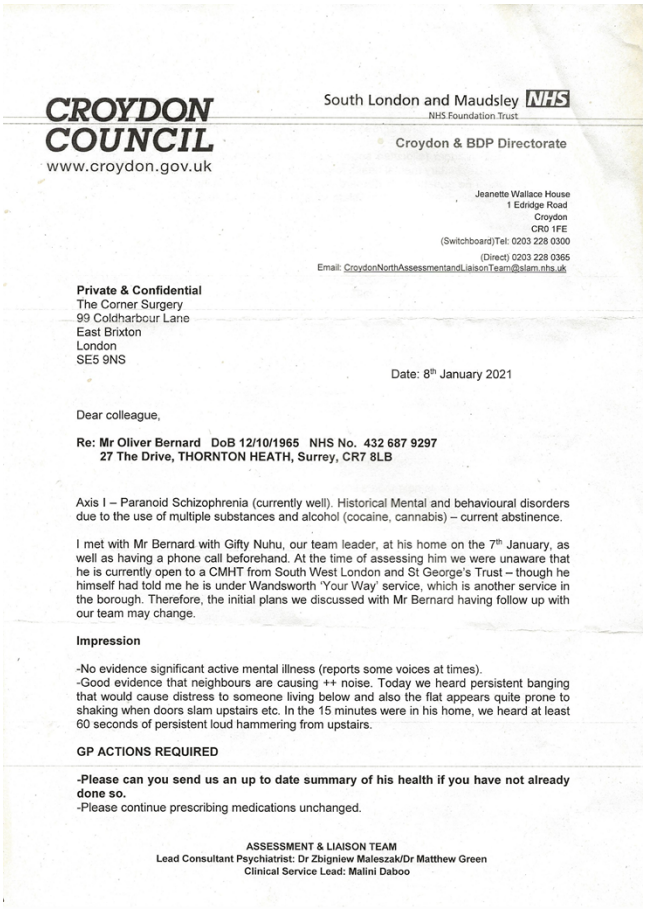
If you look i am not at this surgery mention and offences are not all true to records nor are the thing stated by me
---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Mon, Jun 6, 2022 at 3:10 PM
Subject: The Universal Declaration of Human Rights
To: <brussels@lawsociety.org.uk>



CROYDON COUNCIL
www.croydon.gov.uk

South London and Maudsley NHS
NHS Foundation Trust
Croydon & BDP Directorate

Jeanette Wallace House
1 Edridge Road
Croydon
CR0 1FE
(Switchboard)Tel: 0203 228 0300
(Direct) 0203 228 0365
Email: CroydonNorthAssessmentandLiaisonTeam@slam.nhs.uk

Private & Confidential
The Corner Surgery
99 Coldharbour Lane
East Brixton
London
SE5 9NS

Date: 8th January 2021

Dear colleague,

Re: Mr Oliver Bernard DoB 12/10/1965 NHS No. 432 687 9297
27 The Drive, THORNTON HEATH, Surrey, CR7 8LB

Axis I – Paranoid Schizophrenia (currently well). Historical Mental and behavioural disorders due to the use of multiple substances and alcohol (cocaine, cannabis) – current abstinence.

I met with Mr Bernard with Gifty Nuhu, our team leader, at his home on the 7th January, as well as having a phone call beforehand. At the time of assessing him we were unaware that he is currently open to a CMHT from South West London and St George's Trust – though he himself had told me he is under Wandsworth 'Your Way' service, which is another service in the borough. Therefore, the initial plans we discussed with Mr Bernard having follow up with our team may change.

Impression

-No evidence significant active mental illness (reports some voices at times).
-Good evidence that neighbours are causing ++ noise. Today we heard persistent banging that would cause distress to someone living below and also the flat appears quite prone to shaking when doors slam upstairs etc. In the 15 minutes were in his home, we heard at least 60 seconds of persistent loud hammering from upstairs.

GP ACTIONS REQUIRED

-Please can you send us an up to date summary of his health if you have not already done so.
-Please continue prescribing medications unchanged.

ASSESSMENT & LIAISON TEAM
Lead Consultant Psychiatrist: Dr Zbigniew Maleszak/Dr Matthew Green
Clinical Service Lead: Malini Daboo

From: Oliver Bernard
Sent: 11 July 2022 16:39:45
To: Emily Black
Subject: Fwd: Booking Confirmation from P&O Ferries

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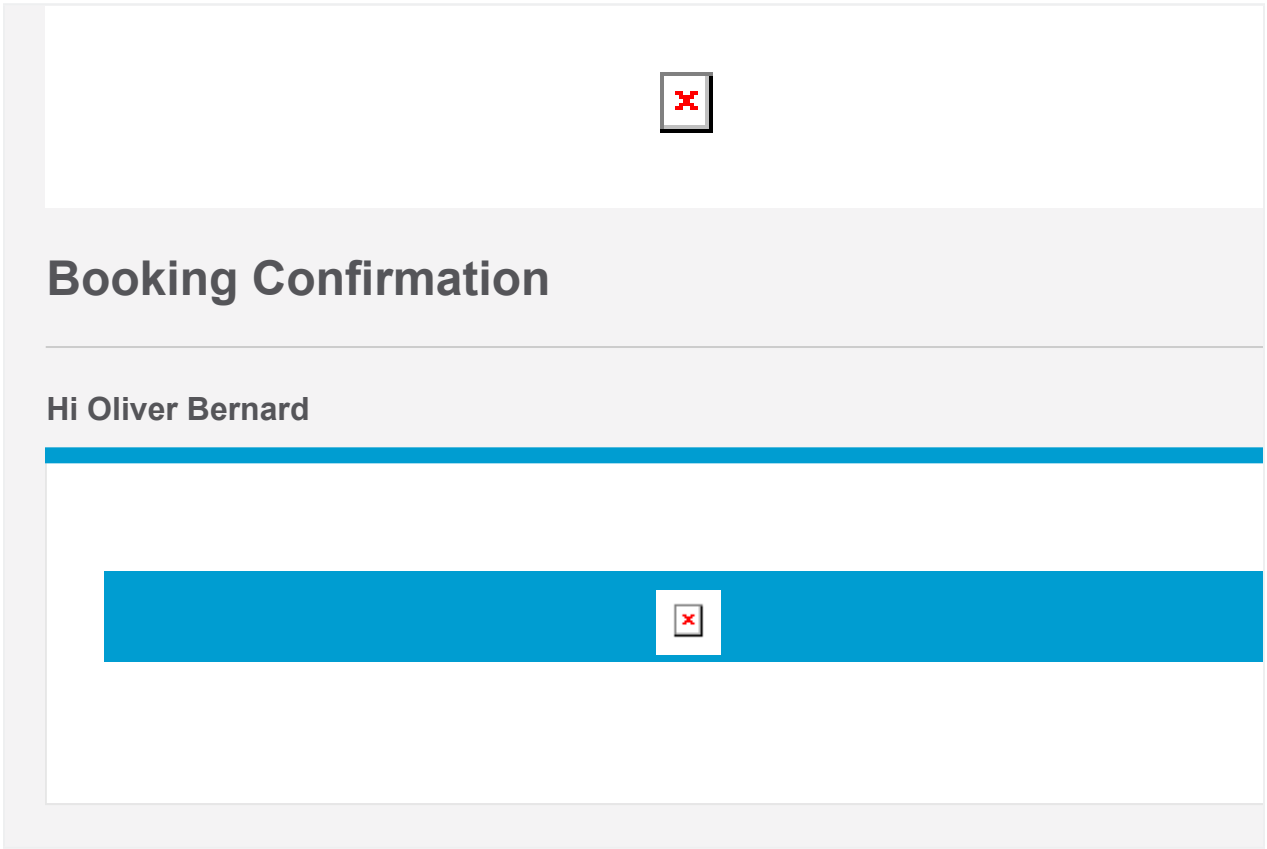
This is just to confirm my booking on the date stated and when i will be back. i will also be sending you my time stamp of what is not on the CCTV and point out what was not in the witness statements as to the events which you can see for yourself. Things like Mr Babs Olosun being there in the first place as i will show you later

---------- Forwarded message ---------
From: **P&O Ferries Customer Services** <no-reply@poferries.com>
Date: Mon, Jun 27, 2022 at 4:19 AM
Subject: Booking Confirmation from P&O Ferries
To: <oliverbernard521@gmail.com>



Your booking to travel with us has been confirmed.

IMPORTANT INFORMATION:

Advance Passenger Information

For all international routes, and to comply with UK Government directives, you are required to supply Advance Passenger Information (API) for every passenger in your booking. This is information found in your passport. Please go to www.poferries.com/advanced-info to enter these details before arrival at the port. Please allow 10 minutes from receiving this confirmation before going to the website.

Please ensure you are familiar with the latest entry requirement for the UK and how this will effect your travels and return to the UK. Find out more below or by visiting the government website.

Please note that following the current government advice, passengers are no longer required to fill in a passenger locator form or take a test regardless of vaccination status. Please read our Covid-19 information pages before you travel and find out more about how to help us keep you safe on board.

Your Booking Number: 19776240

Please use this as a reference if you ever need to get in touch with us regarding your booking.

Booking Made by:	**Mr Oliver Bernard**
Your Email Address:	**oliverbernard521@gmail.com**
Your Phone Number:	**+44-07908 404232**

If any of these details are out of date, please make sure to update them on our website in the Your Account section

Our Top Travel Tips

Don’t forget to have your passport and booking information ready when you arrive at the port to check-in for your crossing.

You must check-in at least **60 mins** before your departure at **Dover Port** . For your inbound journey, you must check-in at least **60 mins** before your departure at **Calais Port**, especially at peak times as it can become busy. Please note that if you are travelling as a foot passenger between Dover & Calais **you must check in 90 minutes** before your departure.

We look forward to welcoming you on board very soon. Happy sailing!
P&O Ferries | **help@poferries.com** or 01304 44 88 88.

Your Journey Details

Outbound	**Fri 15 Jul 2022**	**Return**	**Mon 01 Aug 20**
DVR	**CQF**	**CQF**	**DV**
Depart time:	**09:15**	Depart time:	**19:**
Arrival time:	**11:45**	Arrival time:	**19:**
1 x Saver: **£30.00**		1 x Saver: **£30.00**	
Adult (16+): **1**		Adult (16+): **1**	
Add-Ons **1 x Club Lounge**		Add-Ons **1 x Club Lounge**	

Base Price **£ 30.00** Addons Price **£ 15.00**	Base Price **£ 30.00** Addons Price **£ 15.00**

SubTotal	**£ 90.00**
Vat	**£ 0.00**
Total (Inc Vat)	**£ 90.00**

Card Transaction Details

Transaction Value	**£90.00**
Transaction Time	**27/06/2022 03:19:12 AM**
Transaction Type	**SALE**
Authorization Code	**001472**
Card Number	**************6015**
Card Verification Method	**Customer Not Present**
Terminal ID	******0800**
Card Acceptor Number	****63595**

PLEASE RETAIN FOR YOUR RECORDS

Passenger Details

Outbound

Passengers 1

prof Oliver Bernard (Lead Passenger)

Return

Passengers 1

prof Oliver Bernard (Lead Passenger)

Ticket Flexibility

Outbound/Inbound

SAVER

This Includes :

- Amendments have a £20/€25 administration fee & any difference in price must be paid where applicable.
- There are no extras included with this ticket.

Stay Connected

From: Oliver Bernard
Sent: 11 October 2022 08:38:06
To: Emily Black
Subject: OliverTagged.com

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Life is a two way Street, going in one direction, each of us making our own path, and sharing the same line of life to which our heart's belongs too. The paradox to this is we have the ability to make choices, which are in constant flux. Which mistakes can always be made? The bible is the parable, to which laws have shown us an insight, to which We take reference, to as with philosophy philosophers which extends our branches in knowledge, and the of this, is the ‘ism’, which is the Devil, trying to take this to the ex-stream with the misuse of our ability of the things we should, and should not do. For it is not of our flesh and blood and we as a people, so our morals tested , our empathy ethics and the things desired most in our nature of life.

From: Oliver Bernard
Sent: 11 October 2022 08:40:46
To: Katie Brown
Subject: oliver Tagged.com

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Life is a two way Street, going in one direction, each of us making our own path, and sharing the same line of life to which our heart's belongs too. The paradox to this is we have the ability to make choices, which are in constant flux. Which mistakes can always be made? The bible is the parable, to which laws have shown us an insight, to which We take reference, to as with philosophy philosophers which extends our branches in knowledge, and the of this, is the ‘ism’, which is the Devil, trying to take this to the ex-stream with the misuse of our ability of the things we should, and should not do. For it is not of our flesh and blood and we as a people, so we tested our moral our empathy ethics and the things desire most in our nature of life.

From: Oliver Bernard
Sent: 12 July 2022 13:40:23
To: Emily Black
Subject: Re: Your housing case

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No all that i got was in the Email

On Tue, Jul 12, 2022 at 1:36 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for your recent emails.
>
> You mentioned that both Miriam and Zoe assessed you and concluded that you do not have any health issues requiring support at present. Please can you send me details of these assessments?
>
> I will shortly be sending to you our client care letters and our advice. We previously discussed having a Teams meeting this week to take your instructions. I consider that it would be better to wait until I have received all the papers, from both your landlord and medical professionals, and then for us to have a meeting in the office to go through everything once you are back from your holiday.
>
> Will you be available to come to our office on Mile End Road on the afternoon of 9 August?
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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For more information please visit http://www.mimecast.com

From: Oliver Bernard
Sent: 12 July 2022 13:44:54
To: Emily Black
Subject: Fwd: Appointment with mental health team

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

this just another Email that was sent. I might not be able to make it due to the sort notice and me having to get to kent Dover to make sure i can board the Ferry because of Train strikes

---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Fri, Jul 8, 2022 at 1:56 PM
Subject: Fwd: Appointment with mental health team
To: Emily Black <Emily.Black@tvedwards.com>

As you can see below i have been contacted Olivia Laidlaw and will be calling her after this Email. So you may get some information from her after our meeting.

---------- Forwarded message ---------
From: **Laidlaw, Olivia** <Olivia.Laidlaw@slam.nhs.uk>
Date: Mon, Jul 4, 2022 at 2:37 PM
Subject: Appointment with mental health team
To: oliverbernard521@gmail.com <oliverbernard521@gmail.com>

Dear Oliver,
I hope you are well.
I am your allocated care coordinator with the community mental health team. I have tried to call your mobile but was not able to make contact.
I would like to offer you an appointment on Friday 8th July at 3pm or on Wednesday 13th July 10:30am. This would be at our team base at: *Gracefield Gardens Health Centre, 2-8 Gracefield Gardens, Streatham, SW16 2ST.*
This will be for an assessment to see if you have any mental health needs we can support you with.
I look forward to hearing from you.
Kind regards,
Olivia Laidlaw
Community Practitioner
Lambeth South West Short Term Support Service
Gracefield Gardens Health Centre, 2-8 Gracefield Gardens, Streatham, SW16 2ST

Tel Office/ Duty: 0203 228 8100/ 07808736003
South London and Maudsley NHS Foundation Trust

Should you need assistance out of hours please use the SLaM crisis line on 0800 731 2864 (freephone)

From: Oliver Bernard
Sent: 12 July 2022 23:48:24
To: Emily Black
Subject: Re: Your housing case

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yes i will

On Tue, Jul 12, 2022 at 1:42 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Ok – how do you know the outcome of the assessments?
>
> Please read the rest of my below email too - will you be available to come to our office on Mile End Road on the afternoon of 9 August?
>
> Kind regards,
>
> Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 13:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

No all that i got was in the Email

On Tue, Jul 12, 2022 at 1:36 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for your recent emails.
>
> You mentioned that both Miriam and Zoe assessed you and concluded that you do not have any health issues requiring support at present. Please can you send me details of these assessments?
>
> I will shortly be sending to you our client care letters and our advice. We previously discussed having a Teams meeting this week to take your instructions. I consider that it would be better to wait until I have received all the papers, from both your landlord and medical professionals, and then for us to have a meeting in the office to go through everything once you are back from your holiday.
>
> Will you be available to come to our office on Mile End Road on the afternoon of 9 August?
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Oliver Bernard
Sent: 12 August 2022 09:59:30
To: Emily Black
Subject: Entrapment slum Landlord
Attachments: 20220812_092639.mp4

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

look at this from 27 The DRIVE

From: Oliver Bernard
Sent: 12 August 2022 12:43:20
To: Emily Black
Subject: Owner of 27 THE DRIVE

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HE REAL ESTATE LTD

Company number **09970064**

Follow this company File for this company

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Officers

Persons with significant control

Filter officers

Filter officers

☐ Current officers

3 officers / 1 resignation

EBOIGBE, Helen

Correspondence address
7 Bewlys Road, London, England, SE27 0LA

Role ACTIVE
Director

Date of birth
November 1964

Appointed on
26 January 2016

Nationality
British

Country of residence
England

Occupation
Real Estate

OMOFIA, Louis

Correspondence address
7 Bewlys Road, London, England, SE27 0LA

Role ACTIVE
Director

Date of birth
September 1995

Appointed on
5 October 2019

Nationality
British

Country of residence
England

Occupation
Businessman

OMOFIA, Louis Uchenna

Correspondence address
7 Bewlys Road, London, England, SE27 0LA

Role RESIGNED
Secretary

Appointed on
5 June 2019

Resigned on
15 December 2019

From: Oliver Bernard
Sent: 13 September 2022 01:45:47
To: Emily Black
Subject: Re: Your housing case

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

If you are experiencing involuntary treatment, you may find yourself in a desperate crisis. Here we will share tools and strategies on how you can fight for your freedom.

The typical argument against victims of involuntary psychiatric treatment is that they don't have the mental capacity to make rational decisions about their own health care, thus the decision-making power shifts over to the government.

To avoid this, you can proclaim in advance what is to be done if doctors deem you unfit for making decisions.

An advanced directive can also designate someone to make decisions on your behalf during a crisis should you be considered incompetent. This is called declaring a power of attorney.

On Wed, Sep 7, 2022 at 2:49 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Please see below link to a OneDrive folder where you can upload files, including CCTV, for me to look at:
>
> Oliver Bernard
>
> Let me know if there are any issues with the link.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Oliver Bernard
Sent: 13 September 2022 01:51:52
To: Emily Black
Subject: do you think this is me?

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

It is advised that you do not testify on your own behalf at a hearing. To assist you and your lawyer during your hearing, MindFreedom International has partnered with PsychRights to create the Forced Drugging Defense Package. These documents include written affidavits by Dr. Grace E. Jackson and medical journalist Bob Whitaker about the research on the damage psychiatric drugs cause.

When it comes to fighting against an outpatient committal, survivors have had success by getting expert witnesses like a psychologist to testify on their behalf, modify their diagnosis, and provide evidence that forced drugging orders are an ineffective form of treatment.

These tactics require legal expertise and support. For people going it alone, psychiatric survivors suggest a more accessible solution.

It’s no easy feat to escape involuntary psychiatric treatment. When you’re locked in a psychiatric hospital because doctors have declared you to be mentally ill, it’s natural to wonder, “What is mental illness?” In our next segment, we will challenge the medical model of mental illness.

From: Oliver Bernard
Sent: 13 September 2022 07:35:52
To: Emily Black
Subject: Civil case or ulterior meaning

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Even Though you have the case in hand and the ulterior presentation of the case has now come to light as with emails i,ve sent you. i neither put you in this as a active partner to this

Example sentences from the Collins Corpus

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Some trends appeared to mask an ulterior motive.
Times, Sunday Times (*2014*)

Anybody denying this must have ulterior motives.
Times, Sunday Times (*2007*)

Women always feel they could have done better and that you have an ulterior motive for saying otherwise.
Times, Sunday Times (*2009*)

She felt so free from ulterior motives that she took up his charge with a touch of resentment.
Edith Wharton *The House of Mirth* (*1905*)

He cannot afford to draw the unwanted attention of gossip columnists unless he has some ulterior motive for doing so.
Turner, Janine *Behind Closed Doors - advice for families with violence in the home* (*1988*)

In some cases false accusations are brought against counselors by persons seeking a legal settlement or pursuing some other ulterior motive.
Christianity Today (*2000*)
But this will not end here on that note

From: Oliver Bernard
Sent: 16 September 2022 10:17:06
To: Emily Black
Subject: This recording was made in 2010
Attachments: West Kent.wma

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

please listen to this and tell me if this sounds the same ? If did not get this recording of the interview and get some advice on it ..... well to say the least the writing would on the wall This will play on windows media player format.

From: Oliver Bernard
Sent: 16 September 2022 10:43:39
To: Emily Black
Subject: Floor plan for cross examinatiom

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

The two have stated that what they say ios ture and all cases criminal or not where proof is needed it is better to have it than take things on face value, or they can abuse the very system you have taken an oath to defend. Let your opposition know that ie not just someone say this or that and everyone takes it on face value because who they point the finger at, as they maybe trying to get to the truth of things and not just one at that.

From: Oliver Bernard
Sent: 16 September 2022 10:48:49
To: Emily Black
Subject: What do you think about this company?

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Specialist legal advice for wealthy individuals and small or mid-size enterprises. A top law firm with unrivalled expertise in serving and defending injunctions. Remote consultations. Same day appointments.
do you assitace

From: Oliver Bernard
Sent: 16 November 2022 11:15:59
To: Emily Black
Subject: MACED what it means

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send this to your psychologist and Miss Brown

From: Oliver Bernard
Sent: 16 November 2022 11:20:32
To: Emily Black
Subject: Whats App Video 2022 11 16 At 4.54.00 AM What is to be M>A>C>E>D>

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

https://youtu.be/5PFEHKO8Tik
This can happen to anyone so send it to the psychologist & Miss Brown

From: Oliver Bernard
Sent: 16 November 2022 13:26:44
To: Emily Black
Subject: statements or the witness not recorded or mention

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send this link to Miss Brown
no virus so dont worry
https://youtu.be/wtc8ydlhVoQ

From: Oliver Bernard
Sent: 16 November 2022 13:35:42
To: Emily Black
Subject: This is What public service person should not let happen

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Please to Miss Brown safe no viruses
https://youtu.be/Ox--EnrGIcI

Video link
https://youtu.be/xazZ18QRQWQ

From: Oliver Bernard
Sent: 16 November 2022 13:39:06
To: Emily Black
Subject: Re: Your housing cases

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Great, thanks for letting me know.

On Wed, Nov 16, 2022 at 1:38 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Mr Bernard,
>
> I have received your emails today but as you know, this firm is no longer acting for you.
>
> Kind regards,
>
> Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road,

London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Oliver Bernard
Sent: 16 November 2022 13:41:22
To: Emily Black
Subject: Re: Your housing cases

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As you know the documents that you supplied the evidence covered and the case not necessarily being heard I can still take it private I'm just trying to let you know that although you all work in the public service offices or services regarding this legal loopholes for eviction can still be taken And service records of northbound that do not support when you refuse to put evidence can be applied do go against reviews

On Wed, Nov 16, 2022 at 1:39 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:

> Great, thanks for letting me know.
>
> On Wed, Nov 16, 2022 at 1:38 PM Emily Black <Emily.Black@tvedwards.com> wrote:
>
> > Dear Mr Bernard,
> >
> > I have received your emails today but as you know, this firm is no longer acting for you.
> >
> > Kind regards,
> >
> > Emily

Emily Black

Solicitor

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From: Oliver Bernard
Sent: 16 November 2022 13:49:36
To: Emily Black
Subject: Re: Your housing cases

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Route my background and if you looked at the case objectively what would you have done? Well that's how you should've handled it but no problem

On Wed, Nov 16, 2022 at 1:41 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:

> As you know the documents that you supplied the evidence covered and the case not necessarily being heard I can still take it private I'm just trying to let you know that although you all work in the public service offices or services regarding this legal loopholes for eviction can still be taken And service records of northbound that do not support when you refuse to put evidence can be applied do go against reviews
>
> On Wed, Nov 16, 2022 at 1:39 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:
>
> > Great, thanks for letting me know.
> >
> > On Wed, Nov 16, 2022 at 1:38 PM Emily Black <Emily.Black@tvedwards.com> wrote:
> >
> > Dear Mr Bernard,
> >
> > I have received your emails today but as you know, this firm is no longer acting for you.
> >
> > Kind regards,
> >
> > Emily

Emily Black

Solicitor

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From: Oliver Bernard
Sent: 17 September 2022 05:15:52
To: Emily Black
Subject: Fwd:

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---------- Forwarded message ---------
From: **oliver bernard** <oliverbernard521@outlook.com>
Date: Sat, Sep 17, 2022 at 5:13 AM
Subject:
To: Oliver Bernard <oliverbernard521@gmail.com>

https://youtu.be/8-8fBsHVdRQ

Sent from Mail for Windows

From: Oliver Bernard
Sent: 20 July 2022 12:29:57
To: Emily Black
Subject: These are the letters from Lambeth
Attachments: 2022-07-20_111540.jpg, 2022-07-20_121829.jpg, Document_2022-07-20_110452.jpg, Document_2022-07-20_111332.jpg, Document_2022-07-20_111854.jpg, Document_2022-07-20_112102.jpg, Document_2022-07-20_112305.jpg, Document_2022-07-20_112515.jpg, Document_2022-07-20_121117.jpg, Document_2022-07-20_121343.jpg, Document_2022-07-20_121620.jpg, Handwritten_2022-07-20_111110.jpg

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As you requested

From: Oliver Bernard
Sent: 20 August 2022 09:25:55
To: Emily Black
Subject: Re: Your case

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Thank you for your email and from the papers that have been served and the requests that have been placed. It has gone more to a HumanRights than just an injunction. If not dealt with in the Uk, as you Know i,ve been to Brussel and have already seeked advice. I will be asking if you Know any legal teams within the UK first as advised BY Brussel before I take my case to them.

On Fri, Aug 19, 2022 at 2:07 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Hi Oliver,
>
> I'm writing to confirm our meeting **at 4pm on Monday 22 August** at our offices at 18 St John's Rd, London SW11 1PN.
>
> It's very important that this meeting takes places before the hearing on Wednesday. Your barrister will also be travelling to our office, so please let me know as soon as possible if you cannot attend.
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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DX: 300 700 Tower Hamlets

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From: Oliver Bernard
Sent: 21 July 2022 04:48:25
To: Emily Black
Subject: Re: Automatic reply: These are the letters from Lambeth
Attachments: Lambeth My tenant account unversal credit.jpg, Lambeth My tenant account #1.jpg, Lambeth My tenant account #2.jpg

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I am still trying to get the recording sent to you but the file size are abit big

On Wed, Jul 20, 2022 at 12:30 PM Emily Black <Emily.Black@tvedwards.com> wrote:

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I am out of the office on the morning of Wednesday 20 July 2022, returning later this afternoon. If your matter is urgent and cannot wait for my return, please contact my colleague Simon Fielding on 0203 440 8043 or Simon.Fielding@tvedwards.com.

Kind regards,

Emily Black

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Oliver Bernard
Sent: 21 July 2022 22:34:49
To: Emily Black
Subject: Re: Automatic reply: These are the letters from Lambeth

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

20220721_220135.mp4

This file is 10 GB and is best suited for a blu-ray disc. As for pap[per you want . I will have a copy done by Friday evening. Both days will be on bluray and the 17th on a DVD with this format unless you say it need to be done differently

On Thu, Jul 21, 2022 at 4:48 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
I am still trying to get the recording sent to you but the file size are abit big

On Wed, Jul 20, 2022 at 12:30 PM Emily Black <Emily.Black@tvedwards.com> wrote:

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I am out of the office on the morning of Wednesday 20 July 2022, returning later this afternoon. If your matter is urgent and cannot wait for my return, please contact my colleague Simon Fielding on 0203 440 8043 or Simon.Fielding@tvedwards.com.

Kind regards,

Emily Black

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Oliver Bernard
Sent: 21 July 2022 22:48:55
To: Emily Black
Subject: Fwd: Care Act Assessment
Attachments: OB eligibility criteria doc.docx, OB assessment doc.docx

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---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Thu, Jul 14, 2022 at 9:29 AM
Subject: Care Act Assessment
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Hope this finds you well. Please see attached a copy of my assessment, apologies for the delay getting this to you. I have password protected the document, so will send the password in a separate email. If you have any issues opening it please do let me know.

Let me know if you would like me to post a hard copy and can also do this

As you have no identified care needs, I will be looking to close your case to social care as there is no ongoing role for us. Main area of need is your housing / injunction and I hope you have been able to secure legal representation who will be best placed to assist you with this. I am glad to see the hearing has been adjourned to allow you time to secure this. You have also been allocated a new care co-ordinator in the mental health team, if you feel you need support with this.

Should your needs change in future, you can always contact adult social care on 02079265555.

Wishing you all the best,

Kind Regards,

Miriam

Miriam Hargreaves

Pronounced Mi-re-am Har-greeves

Pronouns: Her/She

Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

2-8 Gracefield Gardens

SW16 2ST

Tel: 0207 926 9550

Disclaimers apply - full details at www.lambeth.gov.uk/email-disclaimer

From: Oliver Bernard
Sent: 21 August 2022 18:33:10
To: Emily Black
Subject: Fwd: Automatic reply: Your housing case
Attachments: metro bank transactions.jpg, metro banking statement.jpg

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MOVI0042.mp4

A talk with one of the residence at Carfax Place

---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Wed, Jul 6, 2022 at 1:12 PM
Subject: Re: Automatic reply: Your housing case
To: Emily Black <Emily.Black@tvedwards.com>

this is what i got from it

On Wed, Jul 6, 2022 at 12:07 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:
> This has no June statements. I don,t know why but will be ask if they still have problems with their system
>
> On Wed, Jul 6, 2022 at 11:46 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
> > this is all i can access
> >
> > On Wed, Jul 6, 2022 at 11:37 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
> > > There are more to come From Metro Bank
> > >
> > > On Wed, Jul 6, 2022 at 10:56 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
> > > > A you will see if nothing has been spent on any day it will not be recorded in the statements
> > > >
> > > > On Tue, Jul 5, 2022 at 12:22 PM Emily Black <Emily.Black@tvedwards.com> wrote:
> > > >
> > > > > CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.
> > > > >
> > > > > I am out of the office on Tuesday 5 July, returning on Wednesday 6 July. My emails will not be checked in my absence.

If your message is urgent and cannot wait for my return, please contact Simon Fielding on 0203 440 8043 or Simon.Fielding@tvedwards.com.

Kind regards,

Emily Black

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Oliver Bernard
Sent: 21 July 2022 18:18:02
To: Emily Black
Subject: CCTV recordings of two days in question 13th of May 2022 the 21st

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I'm looking at trying to find the best delivery platform so you could look at these very large a very long files unbroken and an edited either by using iCloud dropbox or YouTube because the files are so large and I don't want any tampering with it until it's used to be best if you get the chance to see it for yourself to see that none of the things on those days took place I will let you know exactly which one is not a mood not abusing or three but I'll be able to send you do you are all the link to them so you can download on yourself

From: Oliver Bernard
Sent: 23 October 2022 12:57:50
To: Emily Black
Subject: You asked about my mental health

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

These people would be able to tell you that I am in need of support against people like those who use their system. as the documents state.

From: Oliver Bernard
Sent: 23 October 2022 12:59:43
To: Emily Black
Subject: Fwd: You asked about my mental health
Attachments: Scan_20221023 (10).bmp

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

missed out the attachment sorry
---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Sun, Oct 23, 2022 at 12:57 PM
Subject: You asked about my mental health
To: Emily Black <Emily.Black@tvedwards.com>

These people would be able to tell you that I am in need of support against people like those who use their system. as the documents state.

From: Oliver Bernard
Sent: 24 August 2022 15:20:08
To: Emily Black
Subject: youtube

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please use this link
https://youtu.be/7ZfrhL_-xPk

From: Oliver Bernard
Sent: 24 August 2022 15:40:52
To: Emily Black
Subject: interview with support worker

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

use this link below to go to youtube playback
https://youtu.be/jqsuMK9h9-c

From: Oliver Bernard
Sent: 24 August 2022 19:33:40
To: Emily Black
Subject: Fwd: Your housing possession case (BER374/2)

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

it,s not all about me
see if i l am lying about what this man is saying in this?
just copy the link below
https://youtube.com/shorts/JvJmg4MLQp4

---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Wed, Aug 24, 2022 at 4:37 PM
Subject: Re: Your housing possession case (BER374/2)
To: Emily Black <Emily.Black@tvedwards.com>

i can send you big files if you want via youtube as and when i upload them

On Wed, Aug 24, 2022 at 4:35 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Mr Bernard,
>
> Please find the attached letters for your attention in relation to your second case with us – the Notice of Seeking Possession that you received from your landlord.
>
> The first two letters are client care letters and the third is our advice to you.
>
> Please make sure you read these letters carefully and we can discuss next week when I am back in the office.
>
> Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Oliver Bernard
Sent: 25 July 2022 20:18:46
To: Emily Black
Subject: Re: FW: Your housing case
Attachments: desclaimer TV.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

sorry to being late

On Thu, Jul 21, 2022 at 8:36 AM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Mr Bernard,
>
> Thank you for the documents you have sent to me.
>
> As discussed, I also need you to send a copy of your ID and sign and date the attached form as a matter of urgency so that we can get a copy of your medical records.
>
> Kind regards,
>
> Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 15 July 2022 15:24
To: Oliver Bernard <oliverbernard521@gmail.com>
Subject: RE: Your housing case

Dear Mr Bernard,

As you are not currently registered with a GP, we must request your medical records from Primary Care Support England instead. This is a bit more tricky than the usual process and they require the following:

- Photo ID such as passport or driving licence; and
- The completed attached consent form.

Are you able to sign and date the attached (three times where the form requests) and send me a picture of your ID please?

I understand that you are away at the moment but we need to get this request in as soon as possible with the aim of getting your records well in advance of the hearing.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Emily Black
Sent: 14 July 2022 14:32
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Your housing case

Dear Mr Bernard,

Please find attached our client care letters and our initial advice letter for your attention.

We can discuss these letters over the phone once you have had chance to read them.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 23:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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yes i will

On Tue, Jul 12, 2022 at 1:42 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Ok – how do you know the outcome of the assessments?
>
> Please read the rest of my below email too - will you be available to come to our office on Mile End Road on the afternoon of 9 August?
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 13:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

No all that i got was in the Email

On Tue, Jul 12, 2022 at 1:36 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for your recent emails.

You mentioned that both Miriam and Zoe assessed you and concluded that you do not have any health issues requiring support at present. Please can you send me details of these assessments?

I will shortly be sending to you our client care letters and our advice. We previously discussed having a Teams meeting this week to take your instructions. I consider that it would be better to wait until I have received all the papers, from both your landlord and medical professionals, and then for us to have a meeting in the office to go through everything once you are back from your holiday.

Will you be available to come to our office on Mile End Road on the afternoon of 9 August?

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Oliver Bernard
Sent: 26 July 2022 13:36:39
To: Emily Black
Subject: Re: Care Act Assessment
Attachments: NHS request #1.jpg, NHS request #2.jpg

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signed

On Fri, Jul 22, 2022 at 11:11 AM Emily Black <Emily.Black@tvedwards.com> wrote:

> Hi Mr Bernard,
>
> Do you have the password for these documents please?
>
> Kind regards,
>
> Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 21 July 2022 22:49
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Fwd: Care Act Assessment

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---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Thu, Jul 14, 2022 at 9:29 AM
Subject: Care Act Assessment
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Hope this finds you well. Please see attached a copy of my assessment, apologies for the delay getting this to you. I have password protected the document, so will send the password in a separate email. If you have any issues opening it please do let me know.

Let me know if you would like me to post a hard copy and can also do this

As you have no identified care needs, I will be looking to close your case to social care as there is no ongoing role for us. Main area of need is your housing / injunction and I hope you have been able to secure legal representation who will be best placed to assist you with this. I am glad to see the hearing has been adjourned to allow you time to secure this. You have also been allocated a new care co-ordinator in the mental health team, if you feel you need support with this.

Should your needs change in future, you can always contact adult social care on 02079265555.

Wishing you all the best,

Kind Regards,

Miriam

Miriam Hargreaves

Pronounced Mi-re-am Har-greeves

Pronouns: Her/She

Social Worker

Adult Mental Health Service

Adults and Public Health Directorate

London Borough of Lambeth

2-8 Gracefield Gardens

SW16 2ST

Tel: 0207 926 9550

Disclaimers apply - full details at www.lambeth.gov.uk/email-disclaimer

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From: Oliver Bernard
Sent: 26 August 2022 11:16:45
To: Emily Black
Subject: Re: Your housing case
Attachments: West Kent.wma

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If you have time to listen in 2010 With westkent housing

On Tue, Aug 23, 2022 at 8:53 AM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Mr Bernard,
>
> Thank you for coming into the office and meeting with me and your barrister yesterday.
>
> After discussion with your barrister, we think that the appropriate way forward is to ask the court for "directions" (i.e. next steps) in the case to allow us to get an expert report from an independent psychiatrist.
>
> As Alice said to you yesterday, this report will cover things such as whether or not the doctor thinks you are disabled under the definition in the Equality Act, whether that disability has an impact on your behaviour, whether you have capacity to instruct us, etc.
>
> We will draft the letter of instruction to the expert and we can add things in as discussed such as the impact that living at 27 The Drive had on you.
>
> The report will then likely be disclosed to the court.
>
> Before the hearing tomorrow, we will need to let your landlord's solicitors know that we will be asking for this expert report and that we need extra time for that. Are you happy for me to let them know this?

Please feel free to call me on 0203 440 8392 to discuss.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Oliver Bernard
Sent: 27 July 2022 16:46:57
To: Emily Black
Subject: Re: Emily Black meeting with Oliver Bernard

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Thanks, I'll be there.

On Wed, 27 Jul 2022 at 16:45, Emily Black <Emily.Black@tvedwards.com> wrote:

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Meeting ID: 341 114 213 651
Passcode: PZCmyT
Download Teams | Join on the web

Learn more | Meeting options

This email has been scanned for email related threats and delivered safely by Mimecast.
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From: Oliver Bernard
Sent: 28 July 2022 10:31:00
To: Emily Black
Subject: Re: Your housing case - meeting tomorrow at 10:30am on Microsoft Teams
Attachments: TV Edwards Meets.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Just want show you my Snapshot. I am trying to get Microsoft meets to work

On Wed, Jul 27, 2022 at 4:48 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> I have sent you an invite to our Teams meeting tomorrow.
>
> In case you haven't got the invite, here is the link:

Microsoft Teams meeting

Join on your computer or mobile app

Click here to join the meeting

Meeting ID: 341 114 213 651
Passcode: PZCmyT

Download Teams | Join on the web

Learn more | Meeting options

Do let me know if you cannot attend.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Oliver Bernard
Sent: 28 July 2022 11:58:25
To: Emily Black
Subject: Re: Your housing case - meeting tomorrow at 10:30am on Microsoft Teams
Attachments: Document Lambeth Sheltered Disclaimer.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I went to sign this on the date stated 12th April 2022

On Thu, Jul 28, 2022 at 10:31 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:

> Just want show you my Snapshot. I am trying to get Microsoft meets to work
>
> On Wed, Jul 27, 2022 at 4:48 PM Emily Black <Emily.Black@tvedwards.com> wrote:
>
> > Dear Oliver,
> >
> > I have sent you an invite to our Teams meeting tomorrow.
> >
> > In case you haven't got the invite, here is the link:
> >
> > ---
> >
> > # Microsoft Teams meeting
> >
> > **Join on your computer or mobile app**
> >
> > Click here to join the meeting
> >
> > Meeting ID: 341 114 213 651
> > Passcode: PZCmyT
> >
> > Download Teams | Join on the web
> >
> > Learn more | Meeting options

Do let me know if you cannot attend.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Oliver Bernard
Sent: 30 July 2022 06:26:21
To: Emily Black
Subject: Re: Emily Black meeting with Oliver Bernard
Attachments: Medication prescription.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

You wanted to get hold of my medication prescription that I am getting. Hope this will do?

On Wed, Jul 27, 2022 at 4:46 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:
Thanks, I'll be there.

On Wed, 27 Jul 2022 at 16:45, Emily Black <Emily.Black@tvedwards.com> wrote:

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting

Meeting ID: 341 114 213 651
Passcode: PZCmyT
Download Teams | Join on the web

Learn more | Meeting options

This email has been scanned for email related threats and delivered safely by Mimecast.
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From: Oliver Bernard
Sent: 30 July 2022 08:48:01
To: Emily Black
Subject: Hope you get the prescrition
Attachments: scan0001.jpg

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

I am just sending you and your team a picture of my mothers funeral just so you can look at the date and hope you can see i am not in anyway someone who is in the frame of mind to be doing the things these people said when about to pay my respects to my mother.

From: Pollyanna Batkin
Sent: 01 September 2022 15:40:33
To: Emily Black
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

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Good afternoon ,

I hope you are well.

Further to my below emails, as I haven't heard from you, I will close this enquiry for the time being.

If I can be of any further assistance at all, please do let me now.

Kind regards,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625
pollyanna@expertinmind.co.uk www www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Tuesday August 23, 2022 09:56 am

Dear Emily ,

Thankyou for your email.

Please see below updated timescales:

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Vanessa Raymont is currently able to provide a report 6 weeks from the receipt of a letter of instruction. She is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Please do let me know if you require any further assistance at all.

Kind regards ,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130
pollyanna@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill on Sea, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 09:52
To: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

Hi Pollyanna,

This is a different enquiry to my previous one. Do the available experts and their timescales remain the same?

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
Sent: 23 August 2022 09:31

To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

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Good morning ,

I hope you are well.

Please do let me know if you require any further assistance at all.

Alternatively , if you no longer wish to instruct an expert , please do let me know and I will close the enquiry.

Kind regards ,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

pollyanna@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Monday August 8, 2022 03:27 pm

Dear Emily ,

I hope you are well,

Following on from my below email, please do let me know if you require any further information at all.

Kind regards,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

pollyanna@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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Please note that any documents received in hard copy will be scanned and stored securely in our system while the hard copies are securely destroyed.

From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Wednesday August 3, 2022 10:27 am

Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Ajay Bhatnagar, Professor Chris Fox, Dr. Jan Falkowski, Dr. Waquas Waheed, Dr. Vanessa Raymont, Dr. Pavan Chahl, Psychiatrists who would be suitable to assist. I detail below their current timescales, fees and locations:

Dr. Ajay Bhatnagar is currently able to provide a report 3 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Professor Chris Fox is currently able to provide a report 6 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Dr. Jan Falkowski is currently able to provide a report 5 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Vanessa Raymont is currently able to provide a report 6 weeks from the receipt of a letter of instruction. She is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 6 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
pollyanna@expertinmind.co.uk
www.expertinmind.co.uk
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Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Pollyanna Batkin
Sent: 23 August 2022 09:31:02
To: Emily Black
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Attachments: Waheed_ Dr Waquas.pdf, Raymont_ Dr Vanessa.pdf, Fox_ Professor Chris.pdf, Falkowski_ Dr Jan.pdf, Chahl_ Dr Pavan.pdf, Bhatnagar_ Dr Ajay.pdf

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Good morning ,

I hope you are well.

Please do let me know if you require any further assistance at all.

Alternatively , if you no longer wish to instruct an expert , please do let me know and I will close the enquiry.

Kind regards ,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625
pollyanna@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Monday August 8, 2022 03:27 pm

Dear Emily ,

I hope you are well,

Following on from my below email, please do let me know if you require any further information at all.

Kind regards,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

pollyanna@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Wednesday August 3, 2022 10:27 am

Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Ajay Bhatnagar, Professor Chris Fox, Dr. Jan Falkowski, Dr. Waquas Waheed, Dr. Vanessa Raymont, Dr. Pavan Chahl, Psychiatrists who would be suitable to assist. I detail below their current timescales, fees and locations:

Dr. Ajay Bhatnagar is currently able to provide a report 3 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Professor Chris Fox is currently able to provide a report 6 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Dr. Jan Falkowski is currently able to provide a report 5 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Vanessa Raymont is currently able to provide a report 6 weeks from the receipt of a letter of instruction. She is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 6 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Pollyanna Batkin
Office Administrator

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pollyanna@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Pollyanna Batkin
Sent: 23 August 2022 09:56:40
To: Emily Black
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

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Dear Emily ,

Thankyou for your email.

Please see below updated timescales:

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Vanessa Raymont is currently able to provide a report 6 weeks from the receipt of a letter of instruction. She is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Please do let me know if you require any further assistance at all.

Kind regards ,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130
pollyanna@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill on Sea, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 09:52
To: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

Hi Pollyanna,

This is a different enquiry to my previous one. Do the available experts and their timescales remain the same?

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
Sent: 23 August 2022 09:31
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

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Good morning ,

I hope you are well.

Please do let me know if you require any further assistance at all.

Alternatively , if you no longer wish to instruct an expert , please do let me know and I will close the

enquiry.

Kind regards ,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
pollyanna@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Monday August 8, 2022 03:27 pm

Dear Emily ,

I hope you are well,

Following on from my below email, please do let me know if you require any further information at all.

Kind regards,

Pollyanna Batkin
Office Administrator

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FAX +44 (0) 1424 234 625
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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Wednesday August 3, 2022 10:27 am

Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Ajay Bhatnagar, Professor Chris Fox, Dr. Jan Falkowski, Dr. Waquas Waheed, Dr. Vanessa Raymont, Dr. Pavan Chahl, Psychiatrists who would be suitable to assist. I detail below their current timescales, fees and locations:

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6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

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Office Administrator

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From: Shyann Weekes
Sent: 01 November 2022 17:07:06
To: Emily Black
Cc: Jillian Danielsen
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Thank you for your email.

An invoice of 5 hours has been raised the review of case paper which he read in preparation of the assessment, otherwise, he would know no background of the case.

Medical records are not needed in order to assess a client just for the finalisation of the report, sometimes he may ask to speak with a client briefly after seeing medical records but this would only require a quick call to clarify points.

I hope this clarifies your queries. If not, I would be happy for you to call me tomorrow to discuss further.

Kind regards,

Shyann Weekes
Team Manager
EIM

From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 01 November 2022 16:53
To: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: FW: AMENDED: Invoice - Bernard (Work to Date)
Importance: High

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 01 November 2022 16:29
To: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the amended invoice but I'm still not clear on the work that Dr Suleman did in advance of the appointment and why that required even five hours of reading. Again, I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment).

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 28 October 2022 12:00
To: Emily Black <Emily.Black@tvedwards.com>
Subject: AMENDED: Invoice - Bernard (Work to Date)
Importance: High

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Morning Emily,

I've asked the case manager to review the fee note as requested, and although 528 pages of reading were received in total, we have reduced the reading fee to the 372 pages received and read in preparation of the appointment as a gesture of good will.

I hope this is agreeable.

Kind Regards,

Jillian Danielsen
Accounts Assistant

Please be aware that as of the 21st March 2022 we are no longer able to accept cheques.

Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly. Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
office@expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 October 2022 15:28
To: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the invoice.

Whilst we are content to pay the 2 hour cancellation fee, I note that the invoice also includes 7 hours reading time, which I think the Legal Aid Agency will raise issue with.

Please can you confirm whether Dr Suleman did read the papers and if so, why did he spend 7 hours doing so, particularly when I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment). I understand some prep work would be required prior to the appointment, but the initial quote included 7 hours of reading time total.

I look forward to hearing from you.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 26 October 2022 16:47
To: Emily Black <Emily.Black@tvedwards.com>

Subject: Invoice - Bernard (Work to Date)
Importance: High

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Afternoon Emily,

Please find attached the invoice in respect of work completed to date by Dr Suleman in this matter.

We look forward to receiving payment within agreed payment terms (60 days from invoice).

Kind Regards,

Jillian Danielsen
Accounts Assistant

Please be aware that as of the 21st March 2022 we are no longer able to accept cheques.
Important re Coronavirus (COVID-19)

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: THMP (THORNTON HEATH HEALTH CENTRE - H83022)
Sent: 14 July 2022 14:57:17
To: Emily Black
Subject: Re: Our client Oliver Bernard - DOB 12/10/1965

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Good Afternoon,
In regards to Mr Bernard; he is no longer registered at this surgery. Any further information required, please contact their current GP practice.
Many thanks,
Gawain

Thornton Heath Medical Practice
61a Gillett Road
Thornton Heath
Surrey
CR7 8RL

Tel - 020 8664 1590
Fax - 020 8664 1591

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 14 July 2022 14:20
To: THMP (THORNTON HEATH HEALTH CENTRE - H83022) <croccg.thmp@nhs.net>
Subject: Our client Oliver Bernard - DOB 12/10/1965

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Dear Sir/Madam,

Please find the attached letter and enclosure for your attention.

We look forward to hearing from you.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: THMP (THORNTON HEATH HEALTH CENTRE - H83022)
Sent: 15 July 2022 13:41:03
To: Emily Black
Subject: Re: Our client Oliver Bernard - DOB 12/10/1965

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Good afternoon,
This patients records are no longer with us they have been sent back to the health authority, if you need this information he needs to register with a new GP and his notes will be passed on to them or get in touch with the health authority.
Many thanks,
Emma

Thornton Heath Medical Practice
61a Gillett Road
Thornton Heath
Surrey
CR7 8RL

Tel - 020 8664 1590
Fax - 020 8664 1591

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 15 July 2022 09:55
To: THMP (THORNTON HEATH HEALTH CENTRE - H83022) <croccg.thmp@nhs.net>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965

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Hi Gawain,

Thanks for letting me know. I have checked with Mr Bernard and he has not registered at a different surgery, Thornton Heath was the surgery he was last registered at. I believe you should still hold a copy of his records on that basis. Please can you confirm?

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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DX: 300700 Tower Hamlets

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From: THMP (THORNTON HEATH HEALTH CENTRE - H83022) <croccg.thmp@nhs.net>
Sent: 14 July 2022 14:57
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Our client Oliver Bernard - DOB 12/10/1965

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Good Afternoon,

In regards to Mr Bernard; he is no longer registered at this surgery. Any further information required, please contact their current GP practice.

Many thanks,
Gawain

Thornton Heath Medical Practice
61a Gillett Road
Thornton Heath
Surrey
CR7 8RL

Tel - 020 8664 1590
Fax - 020 8664 1591

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 14 July 2022 14:20

To: THMP (THORNTON HEATH HEALTH CENTRE - H83022) <croccg.thmp@nhs.net>
Subject: Our client Oliver Bernard - DOB 12/10/1965

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Dear Sir/Madam,

Please find the attached letter and enclosure for your attention.

We look forward to hearing from you.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Caroline Bird
Sent: 10 October 2022 17:15:00
To: Justine Ghata-Aura;Emily Black
Cc: Shyann Weekes
Subject: RE: [16129] Oliver Bernard

Dear Justine,

Apologies for only being able to confirm this now, but after trying since Thursday I have only just been able to get through to Oliver and he has explained he will not be attending the meeting at 5:45pm.

We will be in touch if it is necessary to rearrange the appointment.

Thank you for your continued assistance,
Caroline Bird

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 10 October 2022 17:02
To: Emily Black <Emily.Black@tvedwards.com>; Caroline Bird <Caroline.Bird@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: [16129] Oliver Bernard

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Dear all,

Following Oliver's appointment at 5:45 PM today, I just wanted to email over Dr Suleman's mobile number: 07855 330 856, Which I'd be grateful if you could pass to your client.

The receptionist as Regus may have gone home by the time Oliver arrives, So if that is the case and there is any problems. Oliver can call Dr Suleman and he will let him into the building.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 +44 (0) 1424 234 625
justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black
Sent: 18 October 2022 16:30:55
To: 'Alice Irving'
Subject: RE: Bernard

Hi Alice,

Just writing to provide an update on this case.

Unfortunately Mr Bernard did not attend the appointment with Dr Suleman despite our advice.

We advised him that it was essential to his case that he attended the appointment and that if he did not attend, then we would not be able to continue to act for him. Mr Bernard confirmed that he understood the consequences of not attending.

On this basis, I will be making an application to come off the record as acting for Mr Bernard tomorrow.

Kind regards,

Emily

From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 28 September 2022 16:15
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily

Nice to see you today. I caught up with Sarah at chambers – frustrating outcome.

In terms of the below:

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*

- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks!

Have a lovely break x

Al

From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Wednesday, 28 September 2022 at 09:11
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Yes I'll make sure I come back on this today 😊

Might see you shortly.

Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Wednesday, 28 September 2022 at 09:10
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

> External

Hi Alice,

Appreciate you're swamped this morning but would you have time to get back to me on the below this afternoon? I'm on annual leave after today not returning until 11 Oct, so hoping to get the updated question out to the expert today.

FYI have not heard back from our senior partner yet re the videos.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 22 September 2022 15:43
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

Hi Alice,

Videos still up despite my letter. One of the senior partners at the firm is having a look into this today so will let you know what she says.

Re the further question to the expert, thinking something as follows within the capacity question 3:

c. Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use and weigh the consequences of doing so

i.e. posting content online can be viewed by anybody and not just those who he sends the link to (including strangers), that personal information about himself and others could be shared with strangers, and that other people in the content he is posting online may not consent to their image being posted online.

Frustratingly, Dr Suleman is no longer able to do a face-to-face appointment on 7 October. They offered Zoom, but I explained that Mr Bernard would benefit from in-person and that's one of the reasons we instructed Dr Suleman. They've offered face-to-face at 5:45pm on 10 October instead. Mr Bernard had previously not been keen for an evening appointment, but I'll run this one by him and see what he says. Difficult as he's already been expressing that he doesn't want to attend the appointment. He may actually be more likely to attend if it's on Zoom.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:35
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily

Thank you for this update.

I am going to have to talk to colleagues about what to do if the videos do not come down. Well done getting some progress.

Have a crack at adding a question on capacity to make decisions around the videos, and I will review.

Thanks for this… what a mess.

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 14:32
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

Hi Alice,

Thanks for this. I have spoken with Mr Bernard further, he agreed to make them private but not remove them. Some have gone but as you say, some are still there.

I'm just drafting a letter to him now about it. I will include as you say about it being potentially bad for his case, and ask him to remove them within 24 hours.

The assessment is due to take place on 7 October. I do have concerns about Mr Bernard attending as the more time that passes the more reluctant he is. He is regularly mentioning us having "ulterior motives" for wanting to get the assessment. I am going to send him a separate letter today to set out again why the assessment is important to his case.

Given it's not until the 7 October, I can send over the additional capacity question you mention.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:01
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily,

My last check the videos are still up.

Have you had any further conversations or correspondence with Mr Bernard? I think if we can try to get him to cooperate to take them down that is best, on the basis that if he didn't post them, and we tell him it is bad for his case for his private conversations with his lawyers to be online and accessible, then he will hopefully agree to access his account and take them down.

If he will not agree to take them down, then I think we need to consider notifying YouTube to see if we can have them take the content down. I have not had a chance to check over what else is on the channel, but we need to see if there is anything else there that is potentially prejudicial to the case and to talk to Mr Bernard about not putting content online going forwards.

Hopefully we can do this cooperatively. If we are unable to get Mr Bernard to cooperate, we may need to consider a COP application – but that is last resort territory.

Can you let me know what has happened with the assessment? It might be worth adding in an additional question about capacity to make decisions around posting content online, if the report/observation is not already complete.

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Friday, 16 September 2022 at 09:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Goodness. This is a first. Well done for spotting it.

Where are we up to with the capacity assessment for the client?

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35

To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

External

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
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From: Emily Black
Sent: 19 August 2022 14:19:10
To: 'Alice Irving'
Subject: RE: Oliver Bernard
Attachments: OB assessment.pdf, OB eligibility criteria.pdf

Hi Alice,

Thanks, Mr Bernard has confirmed that he can attend at 4pm on Monday.

I've attached the two assessment documents that I have.

I haven't taken instructions re current alcohol or drug use – perhaps we can approach this on Monday.

I have viewed the CCTV footage all the way through in that I have skipped through it to determine that nothing happens outside of the pinpointed hours – but not watched it second by second.

Kind regards,

Emily

From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 19 August 2022 13:46
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Thank you for your call.

I appreciate this is a finely balanced case and it is useful for me to meet the client in person.

Can I follow up below on the reference to the June 2022 Care Act assessment which I don't have a copy of I don't think? That would assist me.

Kind regards,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

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T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Thursday, 18 August 2022 at 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

- Given this, I think that ethically we are required to raise with the court, and flag to other side, that we have concerns as to our client's litigation capacity. Further steps should not be taken in these proceedings until the issue of capacity is determined (see CPR 21.3). We should invite the other side to agree to a further adjournment to allow us to instruct an expert to assess our

client. Do you have someone you usually work with? How long do they generally take? That should inform the proposed length of adjournment.

- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

- As we are going to need an expert report on capacity, we should also have this cover the ground we need for any potential disability discrimination defence in relation to the ASBI application. Further, I understand there are parallel possession proceedings. Ideally we would also cover any issues arising in that context, to try to make sure we get the most out of instructing the expert we can. Please do send a LOI to me to review prior to providing to the expert. Please note that I am on leave from 29 August – 12 September.

Otherwise:

- Have we asked the client whether he is currently using alcohol, or any other drugs? This seems to have been a prior trigger for behavioural issues. This would of course complicate the position in relation to any disability discrim defence.

- My instructions refer to a Care Act assessment from June 2022, but I don't seem to have a copy of the same. Please can you send this over.

- Have you viewed the CCTV footage in full, such that I only need to view the pinpoint references you have given in instructions, or is it necessary for me to view all of the footage? If someone has already reviewed the footage in full and you are satisfied I do not need to, that will save the LAA money. If it needs reviewing in full, let me know.

Let me know if you have any questions arising.

Kind regards,
Alice

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From: Emily Black
Sent: 22 September 2022 15:42:43
To: 'Alice Irving'
Subject: RE: Bernard

Hi Alice,

Videos still up despite my letter. One of the senior partners at the firm is having a look into this today so will let you know what she says.

Re the further question to the expert, thinking something as follows within the capacity question 3:

c. Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use and weigh the consequences of doing so i.e. posting content online can be viewed by anybody and not just those who he sends the link to (including strangers), that personal information about himself and others could be shared with strangers, and that other people in the content he is posting online may not consent to their image being posted online.

Frustratingly, Dr Suleman is no longer able to do a face-to-face appointment on 7 October. They offered Zoom, but I explained that Mr Bernard would benefit from in-person and that's one of the reasons we instructed Dr Suleman. They've offered face-to-face at 5:45pm on 10 October instead. Mr Bernard had previously not been keen for an evening appointment, but I'll run this one by him and see what he says. Difficult as he's already been expressing that he doesn't want to attend the appointment. He may actually be more likely to attend if it's on Zoom.

Kind regards,

Emily

From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:35
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily

Thank you for this update.

I am going to have to talk to colleagues about what to do if the videos do not come down. Well done getting some progress.

Have a crack at adding a question on capacity to make decisions around the videos, and I will review.

Thanks for this… what a mess.

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 14:32
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

> External

Hi Alice,

Thanks for this. I have spoken with Mr Bernard further, he agreed to make them private but not remove them. Some have gone but as you say, some are still there.

I'm just drafting a letter to him now about it. I will include as you say about it being potentially bad for his case, and ask him to remove them within 24 hours.

The assessment is due to take place on 7 October. I do have concerns about Mr Bernard attending as the more time that passes the more reluctant he is. He is regularly mentioning us having "ulterior motives" for wanting to get the assessment. I am going to send him a separate letter today to set out again why the assessment is important to his case.

Given it's not until the 7 October, I can send over the additional capacity question you mention.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:01
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily,

My last check the videos are still up.

Have you had any further conversations or correspondence with Mr Bernard? I think if we can try to get him to cooperate to take them down that is best, on the basis that if he didn't post them, and we tell him it is bad for his case for his private conversations with his lawyers to be online and accessible, then he will hopefully agree to access his account and take them down.

If he will not agree to take them down, then I think we need to consider notifying YouTube to see if we can have them take the content down. I have not had a chance to check over what else is on the channel, but we need to see if there is anything else there that is potentially prejudicial to the case and to talk to Mr Bernard about not putting content online going forwards.

Hopefully we can do this cooperatively. If we are unable to get Mr Bernard to cooperate, we may need to consider a COP application – but that is last resort territory.

Can you let me know what has happened with the assessment? It might be worth adding in an additional question about capacity to make decisions around posting content online, if the report/observation is not already complete.

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Friday, 16 September 2022 at 09:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Goodness. This is a first. Well done for spotting it.

Where are we up to with the capacity assessment for the client?

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

> External

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Emily Black
Sent: 24 August 2022 08:46:33
To: 'Alice Irving'
Subject: RE: Oliver Bernard

Morning Alice,

Thanks for the skele, looks great.

Let me know if you need me to bring anything today. I've got a copy of the bundle for the client to look at, and the notice of acting/notice of issue as I only sent these to the court yesterday.

Kind regards,

Emily

From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 23 August 2022 20:33
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Please find attached the skele for tomorrow, FYI. Unfortunately we're listed before DJ Naidoo who made the original interim injunction, so we might struggle to get that varied.

All best,
Alice

From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Tuesday, 23 August 2022 at 17:28
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

Hi Emily,

Thanks for the really thorough information about experts. That's helpful for pitching for timescales.

No worries about not hearing back today. Ideally I should have been decisive and just got his permission yesterday at the meeting, but I wanted a chance to discuss with you first.

I'll do a skele overnight and bring it along covering the law on capacity etc so we can hand it in in person.

See you tomorrow AM!

Alice.

From: Emily Black <Emily.Black@tvedwards.com>
Date: Tuesday, 23 August 2022 at 16:08
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi again Alice,

I wrote to Mr Bernard setting out what we decided after the meeting yesterday. As we discussed I asked him if he was happy for me to pass this on to his landlord as we need to let them know what we will be asking for at the hearing.

Unfortunately I've not received any instructions back from him. My supervisor has suggested I don't chase him as it may rock the boat again before tomorrow.

As such, I think it will be left for you to raise this with their barrister before the hearing tomorrow. Sorry if that makes things more difficult for you.

It would also be good to see if they have an update regarding alternative accommodation.

I have today received client's records from PCSE. Nothing from SLaM as yet.

I have got the below timescales for an expert report from the company we usually use, Expert in Mind:

- Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.
- Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.
- Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 08:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

Hi Alice,

Lovely to meet you too!

Thanks for this. I'll write to client and then the other side today. I'll make some enquiries of experts we regularly use.

Steps taken to obtain medical records:

- 14/07 I wrote to Thornton Heath Medical Practice requesting medical records – client had instructed this was his GP surgery;
- 14/07 Thornton Heath Medical Practice responded to say client was no longer registered at that surgery;

- 26/07 I made a SAR with Primary Care Support England (PCSE - apparently this is who holds medical records for individuals who are not registered with a GP);
- 27/07 I wrote to South London and Maudsley (SLaM) NHS Trust requesting the records they hold for the client as he is known to them;
- 29/07 SLaM responded to confirm receipt of my request;
- 04/08 PCSE responded to say they have received my application, there then needs to be a decision on disclosure and then four weeks to get the records;
- 11/08 I chased SLaM;
- 12/08 SLaM responded to say that there's been a nation systems outage so experiencing technical issues with their clinical system and causing a delay in processing requests.

I will chase both PSCSE and SLaM now.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 22 August 2022 20:32
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Lovely to meet you today.

Just to follow up after the meeting, as discussed, I have concerns as to the client's litigation capacity. He may have capacity, but there are sufficient factors present that give me cause to be concerned such that I believe he should be formally assessed. These include:

- Some of the allegations involve unusual behaviour that may be linked to mental health difficulties.
- The multi-disciplinary meeting resulted in a decision to refer the client for a mental health assessment, because of concerns his mental health had deteriorated, but the client did not engage.
- The client today confirmed he was not taking his anti-psychotic medications, although it was very unclear whether he had stopped taking these about six months ago or only much more recently when he was unable to obtain a repeat prescription.
- The client confirmed that he is currently hearing voices who talk to him about the case.
- The client was at times not particularly coherent, talking about various biblical passages and other books, Lucifer playing tricks on him etc. However, when it was possible to bring the client back to focus, he did seem to be able to engage.

It was positive the client seemed willing to engage in an assessment. It seems the client does have injunction capacity as he was clear as to the terms of the injunction and does appear to have been complying with it.

We need to flag to the other side ASAP (once we've confirmed with the client this is what will happen) that we have capacity concerns and are seeking an assessment and as such will be seeking directions to this effect at the hearing on Wednesday. Unfortunately, I don't think we are likely to be able to manage this by consent order, as I doubt they will agree to reducing the scope of the interim injunction and I think we should at least try this. We could ask them if they will agree to the POA being removed from para 2 of the injunction, on the basis this does not meet the test in s.4 ASBCPA 2014.

As discussed, please send me briefly notes on the steps taken to date to obtain the client's medical records.

Thanks for all your assistance.

Kind regards,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 19 August 2022 at 14:20
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi Alice,

Thanks, Mr Bernard has confirmed that he can attend at 4pm on Monday.

I've attached the two assessment documents that I have.

I haven't taken instructions re current alcohol or drug use – perhaps we can approach this on Monday.

I have viewed the CCTV footage all the way through in that I have skipped through it to determine that nothing happens outside of the pinpointed hours – but not watched it second by second.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 19 August 2022 13:46
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Thank you for your call.

I appreciate this is a finely balanced case and it is useful for me to meet the client in person.

Can I follow up below on the reference to the June 2022 Care Act assessment which I don't have a copy of I don't think? That would assist me.

Kind regards,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Thursday, 18 August 2022 at 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

- Given this, I think that ethically we are required to raise with the court, and flag to other side, that we have concerns as to our client's litigation capacity. Further steps should not be taken in these proceedings until the issue of capacity is determined (see CPR 21.3). We should invite the other side to agree to a further adjournment to allow us to instruct an expert to assess our client. Do you have someone you usually work with? How long do they generally take? That should inform the proposed length of adjournment.

- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

- As we are going to need an expert report on capacity, we should also have this cover the ground we need for any potential disability discrimination defence in relation to the ASBI application. Further, I understand there are parallel possession proceedings. Ideally we would also cover any issues arising in that context, to try to make sure we get the most out of instructing the expert we can. Please do send a LOI to me to review prior to providing to the expert. Please note that I am on leave from 29 August – 12 September.

Otherwise:

- Have we asked the client whether he is currently using alcohol, or any other drugs? This seems to have been a prior trigger for behavioural issues. This would of course complicate the position in relation to any disability discrim defence.

- My instructions refer to a Care Act assessment from June 2022, but I don't seem to have a copy of the same. Please can you send this over.

- Have you viewed the CCTV footage in full, such that I only need to view the pinpoint references you have given in instructions, or is it necessary for me to view all of the footage? If someone has already reviewed the footage in full and you are satisfied I do not need to, that will save the LAA money. If it needs reviewing in full, let me know.

Let me know if you have any questions arising.

Kind regards,
Alice

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From: Emily Black
Sent: 24 August 2022 14:56:28
To: 'Civil/Civ Libs And Housing Clerks'
Subject: RE: L&Q v Hena Begum - possession hearing at 14:20pm on 13 September

Dear Joe,

Thanks v much.

I think that would be fine. I really doubt it will go ahead in any event. I'll confirm ASAP.

Kind regards,

Emily

From: Civil/Civ Libs And Housing Clerks <civillibsandhousingclerks@gclaw.co.uk>
Sent: 24 August 2022 14:55
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: L&Q v Hena Begum - possession hearing at 14:20pm on 13 September

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Dear Emily,

Thank you for the update on this matter.

I shall make a note of the hearing in Sophie's diary now.

I should mention, Sophie will be working remotely over this period and so will not be able to attend hearings in person.

Should the matter need to go ahead, would you be happy for me to request CVP for Sophie?

Kind regards,

Joe

Civil/Civ Libs And Housing Clerks,
Garden Court Chambers
57-60 Lincoln's Inn Fields, London, WC2A 3LJ
DX: 34 London Chancery Lane
Twitter: @GardenCourtLaw @GardenCtPublic @GCCHousing @GCCCivillibs
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 14:49
To: Civil/Civ Libs And Housing Clerks <civillibsandhousingclerks@gclaw.co.uk>
Subject: RE: L&Q v Hena Begum - possession hearing at 14:20pm on 13 September

Dear Clerks,

Sophie Caseley is instructed in this matter and a possession hearing has been listed at 2:20pm on 13th Sept, t/e 30 mins.

It's likely that this will be vacated by agreement with the other side, but please can it be put in Sophie's diary if she's available then just in case?

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Civil/Civ Libs And Housing Clerks <civillibsandhousingclerks@gclaw.co.uk>
Sent: 29 June 2022 18:38
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: L&Q v Hena Begum - possession hearing at 14:30pm on 11 July 2022

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Dear Emily,

Thank you for your email.

May I arrange for Ms Sophie Caseley to assist with this matter?

Kind regards,

Tim

Civil/Civ Libs And Housing Clerks,

57-60 Lincoln's Inn Fields, London, WC2A 3LJ
DX: 34 London Chancery Lane
Twitter: @GardenCourtLaw @GardenCtPublic @GCCHousing @GCCCivillibs
Switchboard: 020 7993 7600 | Direct Tel:

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 29 June 2022 16:42
To: Civil/Civ Libs And Housing Clerks <civillibsandhousingclerks@gclaw.co.uk>
Subject: L&Q v Hena Begum - possession hearing at 14:30pm on 11 July 2022

Dear Clerks,

We are acting for the Defendant in this possession matter.

A hearing is listed in person at Stratford Housing Centre at 14:30pm on 11 July 2022.

This is a publicly funded matter.

Do you have anybody available to attend the hearing? We will also be looking for advice in advance.

Kind regards,

Emily

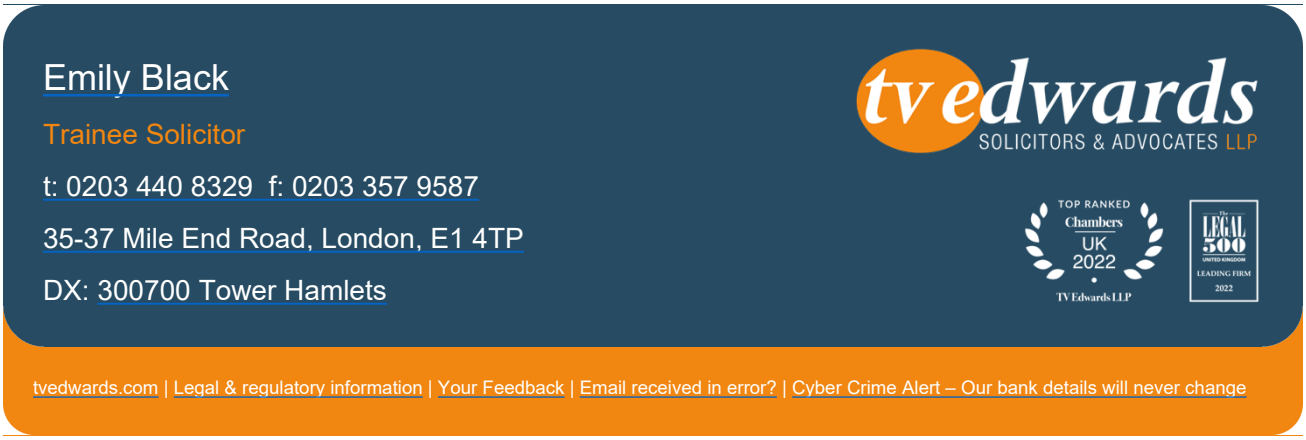
Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets



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From: Emily Black
Sent: 27 July 2022 11:09:47
To: 'DataProtectionRequests@slam.nhs.uk'
Subject: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)
Attachments: Letter to SLaM NHS Trust.pdf, Enclosures.pdf

Dear Sirs/Mesdames,

Please find the attached letter and enclosures for your attention.

Please note that the next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

We look forward to hearing from you.

Kind regards,

Emily Black

From: Caroline Bird
Sent: 06 October 2022 12:59:30
To: 'Dixon-Baker, Christine'
Cc: Graham, Murlyn;Thomas, Marcia
Subject: RE: Olivia Bernard Data Protection request

Dear Christine,

Gratefully received and I have been able to access the documents.

Thank you all again for your assistance.

Kind regards,
Caroline Bird

From: Dixon-Baker, Christine <Christine.Dixon-Baker@slam.nhs.uk>
Sent: 06 October 2022 12:43
To: Caroline Bird <Caroline.Bird@tvedwards.com>
Cc: Graham, Murlyn <Murlyn.Graham@slam.nhs.uk>; Thomas, Marcia <Marcia.Thomas@slam.nhs.uk>
Subject: Fw: Olivia Bernard Data Protection request

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Dixon-Baker, Christine has shared a OneDrive for Business file with you. To view it, click the link below.

CORRESPONDENCE - 2.zip

Dear Caroline

Forwarding information as requested.

Thank you

Christine Dixon-Baker
Team Administrator
Lambeth Short Term Support Service - South West Locality
South London & Maudsley NHS Foundation Trust
380 Streatham High Road
London SW16 6HP

Tel: 020 3228 8100
Team Email:-LambethSWSTS@slam.nhs.uk

From: Graham, Murlyn <Murlyn.Graham@slam.nhs.uk>
Sent: 29 September 2022 16:54
To: Emily Black <emily.black@tvedwards.com>
Cc: Thomas, Marcia <Marcia.Thomas@slam.nhs.uk>; Dixon-Baker, Christine <Christine.Dixon-Baker@slam.nhs.uk>
Subject: Olivia Bernard Data Protection request

Dear Emily

I hope all is well with you, sorry for the delay in sending this. Please find enclosed the information you requested for the above client.

Please do not hesitate to us should you require further information.

Kind regards

MG

Murlyn Graham

Receptionist

Lambeth South West Focussed & Short Term Support Team

South London and Maudsley NHS Foundation Trust

Gracefield Gardens Health Centre

2-8 Gracefield Gardens, London, SW16 2ST

Telephone: 020 3228 8100 Internal: 88157

Work Mobile: 07734 371 280

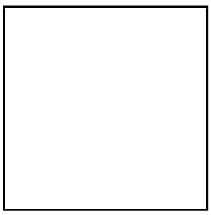
email: murlyn.graham@slam.nhs.uk

020 3228 6000 The switchboard number for SLaM Mental health matters - Click if you care

Lambeth Single Point of Access (SPA) - Website: https://lambethtogether.net/living-well-network-alliance/get-help/lambeth-single-point-of-access/

Continue to Stay Safe

South London and Maudsley NHS Foundation Trust (SLaM) provides mental health and substance misuse services for people living in the London Boroughs of Croydon, Lambeth, Southwark and Lewisham. In addition, the Trust provides substance misuse services for people in the London Boroughs of Bexley, Greenwich and Bromley, as well as specialist services to people from across the UK.



From: Emily Black
Sent: 23 August 2022 11:32:56
To: 'Eidvile Banionyte'
Subject: RE: 268368 - LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August [C: 268368][B:MAL][GARDENCOURT]

Dear Eidvile,

Thanks, hope all is well with you too.

Apologies – I didn't realise I had booked anyone in for this. No we don't require counsel.

Thanks for checking.

Kind regards,

Emily

From: Eidvile Banionyte <eidvileb@gclaw.co.uk>
Sent: 23 August 2022 09:24
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 268368 - LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August [C: 268368][B:MAL][GARDENCOURT]

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Dear Emily,

I hope all is well.

I wanted to check in to see whether counsel's assistance for this will be required?

Best wishes,
Eidvile

Sent from Mail for Windows

Eidvile Banionyte, Deputy Civil Practice Manager
Garden Court Chambers
57-60 Lincoln's Inn Fields, London, WC2A 3LJ
DX: 34 London Chancery Lane
Twitter: @GardenCourtLaw @GardenCtPublic @GCCHousing @GCCCivillibs
Switchboard: 020 7993 7600 | Direct Tel: 020 7993 7632
My Profile: https://www.gardencourtchambers.co.uk/clerks-and-staff/eidvile-

banionyte

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From: Emily Black
Sent: 26 July 2022 11:24:08
To: 'Emily Norman'
Subject: RE: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

Hi Emily,

Great, please can we book Alice in.

I'll send instructions over as soon as possible but likely not until w/c 8 August.

Kind regards,

Emily

From: Emily Norman <e.norman@doughtystreet.co.uk>
Sent: 25 July 2022 15:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

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Hi Emily

Thanks for your email.

We should have Alice Irving available?

Kindest
Emily

Emily Norman
Senior Civil Practice Assistant
Message from DSC on 'Remote Working' Guidelines

E: e.norman@doughtystreet.co.uk
T: 020 7400 8897

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 25 July 2022 15:25
To: Emily Norman <e.norman@doughtystreet.co.uk>
Subject: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

External

Dear Emily,

We are representing the Defendant in these proceedings. We have a substantive public funding certificate in place.

There is currently an ASBI with power of arrest dated 18 May 2022 against Mr Bernard. A hearing has been listed for 11:30am on 24 August 2022 at Clerkenwell & Shoreditch. The hearing is to consider whether or not the injunction should remain in place and to reconsider the Claimant's application for an exclusion order.

Do you have anybody available to assist?

Thank you in advance.

Kind regards,

Emily

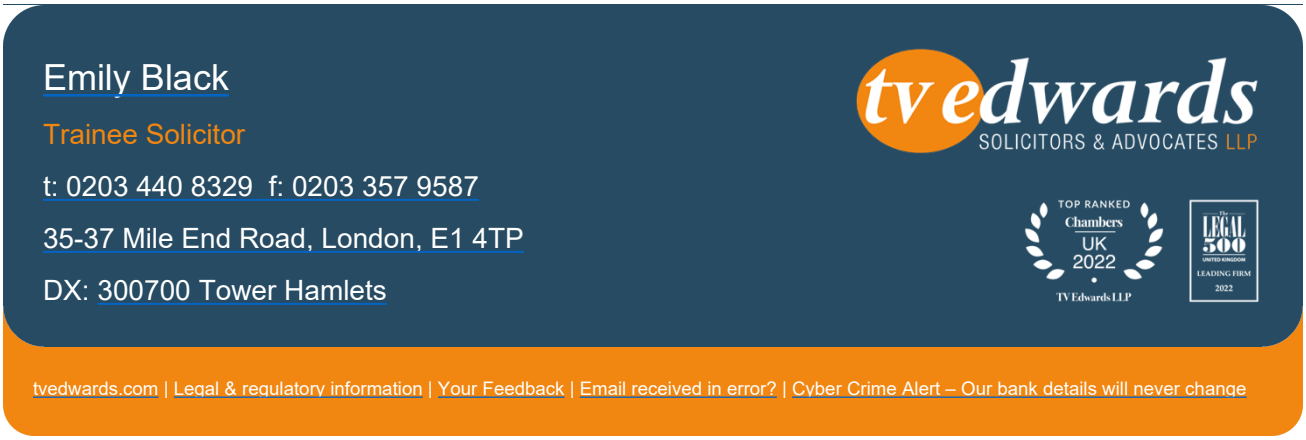
Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets



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From: Emily Black
Sent: 05 September 2022 16:54:49
To: 'Felix Pratley-Crighton'
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Please can you confirm the time of the appointment with Dr Suleman on 7 October, and the location of his consulting rooms?

Kind regards,

Emily

From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 01 September 2022 13:23
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you. I confirm receipt and have forwarded this to Dr Suleman's secretary.

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

+44 (0) 1424 444 130
felix@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill on Sea, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 01 September 2022 12:06
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

I'm using Mimecast to share large files with you. Please see the attached instructions.

Dear Felix,

Please find attached the LOI and enclosures attached.

Kind regards,

Emily

From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 30 August 2022 10:53
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email. This has been temporarily set aside.

Do let me know when you should be able to send across the LOI.

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 16:14
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thanks very much. Please can we confirm the 7 October at Dr Suleman's consulting rooms?

I will send the letter of instruction as soon as possible.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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confirm the transaction. We can accept NO LIABILITY for monies transferred to incorrect bank accounts.

From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 24 August 2022 14:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email.

I have checked with the secretary. She has advised that Dr Suleman has some options:

If he needs to travel, his first appointment is 28th October

If the client can come to his consulting rooms in Lewisham, he can see them during the daytime on 7th October, or potentially sooner if the client can attend in the evening (ordinarily 5.45pm).

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 14:11
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thank you very much for this.

Please can we instruct Dr Suleman?

Please can you let me know his availability for a face-to-face assessment?

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 23 August 2022 13:42
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Waquas Waheed, Dr. Jan Falkowski, Dr. Ajay Bhatnagar, Dr. Pavan Chahl, Dr. Sajid Suleman and Professor Chris Fox, Psychiatrists who should be suitable to assist. I detail below their current timescales, fees and locations:

Adherence to the following timescales is based on the prompt receipt of medical records.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during this time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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FAX +44 (0) 1424 234 625

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Important re Coronavirus (COVID-19)

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Emily Black
Sent: 24 August 2022 14:11:15
To: 'Felix Pratley-Crighton'
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thank you very much for this.

Please can we instruct Dr Suleman?

Please can you let me know his availability for a face-to-face assessment?

Thanks for your assistance.

Kind regards,

Emily

From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 23 August 2022 13:42
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Waquas Waheed, Dr. Jan Falkowski, Dr. Ajay Bhatnagar, Dr. Pavan Chahl, Dr. Sajid Suleman and Professor Chris Fox, Psychiatrists who should be suitable to assist. I detail below their current timescales, fees and locations:

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Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during this time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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FAX +44 (0) 1424 234 625
felix@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black
Sent: 24 August 2022 16:13:28
To: 'Felix Pratley-Crighton'
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thanks very much. Please can we confirm the 7 October at Dr Suleman's consulting rooms?

I will send the letter of instruction as soon as possible.

Kind regards,

Emily

From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 24 August 2022 14:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Thank you for your email.

I have checked with the secretary. She has advised that Dr Suleman has some options:

If he needs to travel, his first appointment is 28th October

If the client can come to his consulting rooms in Lewisham, he can see them during the daytime on 7th October, or potentially sooner if the client can attend in the evening (ordinarily 5.45pm).

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 14:11
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thank you very much for this.

Please can we instruct Dr Suleman?

Please can you let me know his availability for a face-to-face assessment?

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 23 August 2022 13:42
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Waquas Waheed, Dr. Jan Falkowski, Dr. Ajay Bhatnagar, Dr. Pavan Chahl, Dr. Sajid Suleman and Professor Chris Fox, Psychiatrists who should be suitable to assist. I detail below their current timescales, fees and locations:

Adherence to the following timescales is based on the prompt receipt of medical records.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

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As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Felix Pratley-Crighton
Senior Administrator

Please Note:
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FAX +44 (0) 1424 234 625

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www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Emily Black
Sent: 14 September 2022 17:19:24
To: 'Graham, Murlyn'
Cc: Thomas, Marcia;Dixon-Baker, Christine
Subject: RE: Data Request for OB

Dear Murlyn,

Received with thanks. I just note that a couple of the folders are empty – the "assessment" one, "outcomes", and "Plan-Rev". Please could you check that these folders are supposed to be empty or are there any documents missing?

Thank you in advance.

Kind regards,

Emily

From: Graham, Murlyn <Murlyn.Graham@slam.nhs.uk>
Sent: 14 September 2022 16:26
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Thomas, Marcia <Marcia.Thomas@slam.nhs.uk>; Dixon-Baker, Christine <Christine.Dixon-Baker@slam.nhs.uk>
Subject: Data Request for OB

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Graham, Murlyn has shared a OneDrive for Business file with you. To view it, click the link below.

Oliver Bernard(1).zip

Dear Emily

Please find enclosed the notes requested for the above patient.

Should you request further information please do not hesitate to contact us.

Kind regards

MG

Murlyn Graham

Receptionist

Lambeth South West Focussed & Short Term Support Team

South London and Maudsley NHS Foundation Trust

Gracefield Gardens Health Centre

2-8 Gracefield Gardens, London, SW16 2ST

Telephone: 020 3228 8100 Internal: 88157

Work Mobile: 07734 371 280

email: murlyn.graham@slam.nhs.uk

020 3228 6000 The switchboard number for SLaM Mental health matters - Click if you care

Lambeth Single Point of Access (SPA) - Website: https://lambethtogether.net/living-well-network-alliance/get-help/lambeth-single-point-of-access/

Continue to Stay Safe

South London and Maudsley NHS Foundation Trust (SLaM) provides mental health and substance misuse services for people living in the London Boroughs of Croydon, Lambeth, Southwark and Lewisham. In addition, the Trust provides substance misuse services for people in the London Boroughs of Bexley, Greenwich and Bromley, as well as specialist services to people from across the UK.

From: Emily Black
Sent: 10 August 2022 17:25:29
To: 'Isabel Trinder'
Subject: RE: 24th August

Hi Isabel,

Apologies for the delay, I'll work on these instructions tomorrow and have them to you by the end of the week.

Kind regards,

Emily

From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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Hi Emily,

I hope you are well.

Please can I check when papers will be sent across for the hearing on the 24th of August in Alice Irving's diary?

Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guidelines

E: i.trinder@doughtystreet.co.uk
T: 0207 404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Emily Black
Sent: 12 August 2022 09:43:40
To: 'Isabel Trinder'
Subject: RE: 24th August
Attachments: A20 Brief to Counsel.pdf, 1. Bundle for hearing on 24 August collated by the Claimant.pdf, Bundle of docs for counsel - items 2 to 5.pdf, BER SPFC 2250 excl trial.pdf

Hi Isabel,

Please find attached brief/instructions to counsel and enclosures, to include Mr Bernard's SPFC for Chambers' records.

There are two more enclosures that I am not able to attach here – two videos. I will work on how to get them over to you now.

Kind regards,

Emily

From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 11 August 2022 08:37
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Hi Emily,

That's great, thank you for the update.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Apologies for the delay, I'll work on these instructions tomorrow and have them to you by the end of the week.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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Hi Emily,

I hope you are well.

Please can I check when papers will be sent across for the hearing on the 24th of August in Alice Irving's diary?

Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guidelines

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From: Emily Black
Sent: 12 August 2022 10:44:39
To: 'Isabel Trinder'
Subject: RE: 24th August

Hi Isabel,

Great thanks – there's just one more that's too big to send, I'm liaising with our IT to see how I can get it to you.

Kind regards,

Emily

From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 12 August 2022 10:41
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Hi Emily,

Many thanks, I can confirm I have been able to assess the video.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:50
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

I'm using Mimecast to share large files with you. Please see the attached instructions.

I'm using Mimecast to share large files with you. Please see the attached instructions.

Hi Isabel,

Here's one of the videos – please let me know if you're able to access it.

Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:44
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

Hi Isabel,

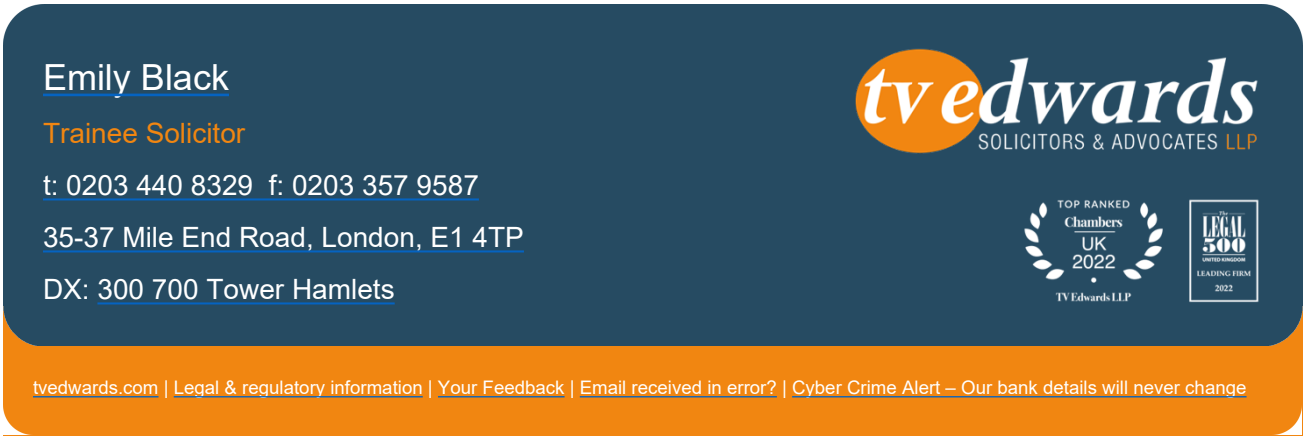
Please find attached brief/instructions to counsel and enclosures, to include Mr Bernard's SPFC for Chambers' records.

There are two more enclosures that I am not able to attach here – two videos. I will work on how to get them over to you now.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets



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Sent: 11 August 2022 08:37

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Hi Emily,

That's great, thank you for the update.

Kindest,

Isabel

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Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

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Emily

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Trainee Solicitor

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Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
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T: 0207 404 1313

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From: Emily Black
Sent: 12 August 2022 11:21:22
To: 'Isabel Trinder'
Subject: RE: 24th August

Hi Isabel,

Ah amazing that's so helpful, I've uploaded the second video there just now.

Kind regards,

Emily

From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 12 August 2022 11:00
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Hi Emily,

I have made this OneDrive link so you should be able to drag and drop the video in there if that assists.

Oliver Bernard

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 10:45
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

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Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 12 August 2022 10:41
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Hi Emily,

Many thanks, I can confirm I have been able to assess the video.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:50
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

I'm using Mimecast to share large files with you. Please see the attached instructions.

I'm using Mimecast to share large files with you. Please see the attached instructions.

Hi Isabel,

Here's one of the videos – please let me know if you're able to access it.

Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:44
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

Hi Isabel,

Please find attached brief/instructions to counsel and enclosures, to include Mr Bernard's SPFC for Chambers' records.

There are two more enclosures that I am not able to attach here – two videos. I will work on how to get them over to you now.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 11 August 2022 08:37
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Hi Emily,

That's great, thank you for the update.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

External

Hi Isabel,

Apologies for the delay, I'll work on these instructions tomorrow and have them to you by the end of the week.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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Hi Emily,

I hope you are well.

Please can I check when papers will be sent across for the hearing on the 24th of August in Alice Irving's diary?

Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior
Message from DSC on 'Remote Working' Guidelines

doughty street chambers

E: i.trinder@doughtystreet.co.uk
T: 0207 404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Emily Black
Sent: 01 November 2022 16:29:07
To: 'Jillian Danielsen'
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the amended invoice but I'm still not clear on the work that Dr Suleman did in advance of the appointment and why that required even five hours of reading. Again, I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment).

Kind regards,

Emily

From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 28 October 2022 12:00
To: Emily Black <Emily.Black@tvedwards.com>
Subject: AMENDED: Invoice - Bernard (Work to Date)
Importance: High

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Morning Emily,

I've asked the case manager to review the fee note as requested, and although 528 pages of reading were received in total, we have reduced the reading fee to the 372 pages received and read in preparation of the appointment as a gesture of good will.

I hope this is agreeable.

Kind Regards,

Jillian Danielsen
Accounts Assistant
Please be aware that as of the 21st March 2022 we are no longer able to accept cheques.
Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly. Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact

with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
office@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 October 2022 15:28
To: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the invoice.

Whilst we are content to pay the 2 hour cancellation fee, I note that the invoice also includes 7 hours reading time, which I think the Legal Aid Agency will raise issue with.

Please can you confirm whether Dr Suleman did read the papers and if so, why did he spend 7 hours doing so, particularly when I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment). I understand some prep work would be required prior to the appointment, but the initial quote included 7 hours of reading time total.

I look forward to hearing from you.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 26 October 2022 16:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Invoice - Bernard (Work to Date)
Importance: High

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Afternoon Emily,

Please find attached the invoice in respect of work completed to date by Dr Suleman in this matter.

We look forward to receiving payment within agreed payment terms (60 days from invoice).

Kind Regards,

Jillian Danielsen
Accounts Assistant

Please be aware that as of the 21st March 2022 we are no longer able to accept cheques.

Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly. Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
office@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black
Sent: 15 September 2022 17:13:12
To: 'Joe Young'
Subject: RE: Case: THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH -V- OLIVER BERNARD | Our Ref: 200593 | Your Ref: KB

Dear Joe,

Thanks for this fee note. Please note that I'm the solicitor with conduct of this case now that I've qualified.

I've just had a look at the CF1A and it doesn't appear that counsel's attendance at the hearing is on there. Please could you check this?

Kind regards,

Emily

From: Joe Young <j.young@doughtystreet.co.uk>
Sent: 13 September 2022 11:37
To: Katie Brown <Katie.Brown@tvedwards.com>
Subject: Re: Case: THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH -V- OLIVER BERNARD | Our Ref: 200593 | Your Ref: KB

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Dear Katie,

Please find attached a copy of our fee note in respect of the above case.

If this is a CCMS matter, please ensure that counsel has been allocated and the costs limitation increased in line with the attached. When doing so, please consider any payment on accounts that have been made, and ensure the total net fees are allocated. Details on how to allocate can be found here *http://ccmstraining.justice.gov.uk/__data/assets/pdf_file/0007/7774/-CCMS_Provider__Assigning_Counsel_7774_v3.1.pdf*

If you have any queries, please do not hesitate to contact me.

Kind regards,

Joe Young

Joe Young

Junior Civil Billing Clerk
Message from DSC on 'Remote Working' Guidelines

E: j.young@doughtystreet.co.uk
T: 0207 404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Emily Black
Sent: 12 September 2022 16:47:04
To: 'Justine Ghata-Aura'
Cc: Weekes, Shyann
Subject: RE: [EID:16129] Oliver Bernard - Appointment Letter and T&Cs
Attachments: S45BW-5e22091216570.pdf

Dear Justine,

Thanks very much. Appointment confirmed and signed T&Cs attached.

Re the medical records – unfortunately there's a delay in receiving these from the Trust due to a "clinical system outage". I will continue to chase and provide them to you for Dr Suleman as soon as possible.

Kind regards,

Emily

From: matters@expertinmind.actionstep.com <matters@expertinmind.actionstep.com>
Sent: 06 September 2022 14:18
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Weekes, Shyann <shyann@expertinmind.co.uk>
Subject: [EID:16129] Oliver Bernard - Appointment Letter and T&Cs
Importance: High

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Dear Emily,

Please see attached letter sent on behalf of Dr. Suleman. May I draw your attention to the following requirements which are essential for adherence to the filing date:

- The appointment needs to be confirmed within **7 days**
- The Terms and Conditions need to be signed and returned by all fee paying parties at least **7 days** prior to the appointment date
- The medical records need to be received **7 days** prior to the filing date

I look forward to hearing from you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black
Sent: 20 September 2022 16:25:38
To: 'Justine Ghata-Aura'
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Emily Black
Sent: 20 September 2022 17:31:40
To: 'Justine Ghata-Aura'
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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Please note that any documents received in hard copy will be scanned and stored securely in our system while the hard copies are securely destroyed.

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

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From: Emily Black
Sent: 23 September 2022 16:15:28
To: 'Justine Ghata-Aura'
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

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Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

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Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34

To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

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FAX +44 (0) 1424 234 625
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From: Emily Black
Sent: 28 September 2022 16:20:45
To: 'Justine Ghata-Aura'
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard
Attachments: Extracts from NHS MH records for Dr Suleman.pdf

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Kind regards,

Emilt

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

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Please let me know if this is suitable for your client.

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Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34

To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Kind regards,

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From: Katie Brown
Sent: 03 October 2022 11:27:14
To: 'Justine Ghata-Aura';Caroline Bird;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine

Thank you for your email.

I will confirm the booking. Even if Mr Bernard were to agree to attend today, he may change his mind later this week (and vice versa) but given how important this meeting / assessment is, I am happy to confirm the booking.

Many thanks

Katie Brown

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 03 October 2022 09:37
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>; Katie Brown <Katie.Brown@tvedwards.com>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thanks for the update, I will await to receive the additional medical documents.

The appointment is due to take place on 10th October 2022 so we urgently require confirmation of attendance for Oliver.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 +44 (0) 1424 234 625
justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 17:04
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>; Katie Brown <Katie.Brown@tvedwards.com>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

We have not yet received the additional medical documents referred to in my colleague, Emily Blacks, email of 28 September 2022 and will pass them on once received.

Thank you,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 16:44
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thank you, I will await to hear back form you regarding his attendance and additional medical documents.

Many thanks,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 16:07
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Many thanks Justine.

I will pass this information onto Mr Bernard and confirm his attendance as soon as possible.

Kind regards,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 14:29
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Please find attached a copy of Dr Suleman's CV.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 11:48
To: Emily Black <Emily.Black@tvedwards.com>; Justine Ghata-Aura <Justine@expertinmind.co.uk>

Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34

To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Caroline Bird
Sent: 06 October 2022 16:27:09
To: 'Justine Ghata-Aura';Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

These have just been received this afternoon. I am currently considering them and will pass them on as soon as possible but given the volume, this is likely to be tomorrow.

Thank you,
Caroline Bird

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 06 October 2022 16:21
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear all,

I hope you are well.

I'd be grateful for an update regarding the client's additional medical records.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Caroline Bird
Sent: 26 October 2022 12:43:42
To: 'Justine Ghata-Aura';Emily Black
Cc: Shyann Weekes
Subject: RE: [16129] Oliver Bernard

Dear Justine,

Thank you and yourself.

We will not be proceeding with this assessment and so will not need to re-book the appointment.

We look forward to receiving the final invoice in due course.

Thank you,
Caroline Bird

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 26 October 2022 09:08
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>; Katie Brown <Katie.Brown@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: [16129] Oliver Bernard

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Dear all,

Hope you are well.

I'd be grateful if you could provide an update on whether you would like to rebook Oliver Bernard's appointment with Dr Suleman?

I will look to raise the invoice for the work to date on Friday, Unless stated otherwise.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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Please note that any documents received in hard copy will be scanned and stored securely in our system while the hard copies are securely destroyed.

From: Emily Black
Sent: 11 August 2022 11:26:02
To: 'Mustakalli, Kayleigh'
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

Dear Kayleigh,

Do you have an update on this request please?

Thanks very much for your assistance.

Kind regards,

Emily

From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 29 July 2022 15:17
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Thank you for sending to us your request.

We have asked our clinical team to assist in providing the records to you as soon as possible.

Any queries in the meantime, please let me know.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 July 2022 11:10
To: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Sirs/Mesdames,

Please find the attached letter and enclosures for your attention.

Please note that the next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

We look forward to hearing from you.

Kind regards,

Emily Black

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Emily Black
Sent: 12 September 2022 16:48:00
To: 'Mustakalli, Kayleigh'
Cc: Data Protection Requests
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

Dear Kayleigh,

Please can you provide me with an update on this request?

Thanks for your assistance.

Kind regards,

Emily

From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 25 August 2022 15:29
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)
Importance: High

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon Emily,

Unfortunately, we are still in the same position regarding our clinical system outage and still do not know when this will be resolved.

The Clinical team are aware of your request and as soon as the outage has been resolved they will be able to send you the requested records.

Apologies for the inconvenience this may be causing.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 08:41
To: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Cc: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Kayleigh,

Thanks for letting me know.

Do you have any further update please? As mentioned the records are for use in a court case and I would be grateful for receipt of the same as a matter of urgency.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 12 August 2022 11:05
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)
Importance: High

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Dear Emily,

This is to inform you that due to a national systems outage, we are currently experiencing technical issues with our clinical system, which is causing a delay in processing requests at this time. We are working with our third-party supplier and NHS England to resolve this situation and will contact you and will keep in contact with you regarding progress.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 11 August 2022 11:26
To: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Kayleigh,

Do you have an update on this request please?

Thanks very much for your assistance.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 29 July 2022 15:17
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Emily,

Thank you for sending to us your request.

We have asked our clinical team to assist in providing the records to you as soon as possible.

Any queries in the meantime, please let me know.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 July 2022 11:10
To: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Sirs/Mesdames,

Please find the attached letter and enclosures for your attention.

Please note that the next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

We look forward to hearing from you.

Kind regards,

Emily Black

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Emily Black
Sent: 23 August 2022 08:40:30
To: 'Mustakalli, Kayleigh'
Cc: Data Protection Requests
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

Dear Kayleigh,

Thanks for letting me know.

Do you have any further update please? As mentioned the records are for use in a court case and I would be grateful for receipt of the same as a matter of urgency.

Kind regards,

Emily

From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 12 August 2022 11:05
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)
Importance: High

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Dear Emily,
This is to inform you that due to a national systems outage, we are currently experiencing technical issues with our clinical system, which is causing a delay in processing requests at this time. We are working with our third-party supplier and NHS England to resolve this situation and will contact you and will keep in contact with you regarding progress.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 11 August 2022 11:26
To: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Kayleigh,

Do you have an update on this request please?

Thanks very much for your assistance.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Mustakalli, Kayleigh <Kayleigh.Mustakalli@slam.nhs.uk>
Sent: 29 July 2022 15:17
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Emily,

Thank you for sending to us your request.

We have asked our clinical team to assist in providing the records to you as soon as possible.

Any queries in the meantime, please let me know.

Kindest Regards

Kayleigh Mustakalli
IG Compliance Officer
020 3228 3862
Contactable via Teams
Information Governance | Digital Services | South London and Maudsley NHS Foundation Trust
Maudsley Hospital | Denmark Hill | London SE5 8AZ

#ShareNotSend

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 July 2022 11:10
To: Data Protection Requests <DataProtectionRequests@slam.nhs.uk>
Subject: Our client Oliver Bernard - DOB 12/10/1965 (BER374/1)

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Dear Sirs/Mesdames,

Please find the attached letter and enclosures for your attention.

Please note that the next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

We look forward to hearing from you.

Kind regards,

Emily Black

Emily Black

Trainee Solicitor

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From: Emily Black
Sent: 15 July 2022 10:10:40
To: 'NFranklin@lambeth.gov.uk'
Subject: London Borough of Lambeth v Oliver Bernard - Claim No.: J01EC769
Attachments: Letter to LB Lambeth.pdf, Notice of Acting.pdf, Notice of Issue of EPFC.pdf, FOA.pdf

Dear Ms Franklin,

Please find the attached letter and enclosures for your attention.

We look forward to hearing from you.

Kind regards,

Emily

From: Emily Black
Sent: 01 August 2022 11:42:08
To: 'Nina Franklin'
Subject: RE: London Borough of Lambeth v Oliver Bernard

Dear Ms Franklin,

Thank you for sending the papers over to me.

I note that the last hearing was adjourned to allow time to explore the possibilities of Lambeth providing alternative accommodation to Mr Bernard.

Please can you let me know if there is any update on this front?

Kind regards,

Emily

From: Nina Franklin <NFranklin@lambeth.gov.uk>
Sent: 19 July 2022 14:20
To: Emily Black <Emily.Black@tvedwards.com>
Subject: London Borough of Lambeth v Oliver Bernard

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Ms Black,

Further to previous emails, please find attached the following:-

- Documents from house file (that are disclosable). The house file is very small and predominantly contains emails produced when legal proceedings were contemplated.
- Contact Reports
- Rent statement
- Care Act assessment report

In regards to the mental health assessment, I am instructed that this sits with the South West Short Term Support Team and they have not been able to complete this yet, as Mr Bernard did not attend his appointment. He has an allocated care co-ordinator, Olivia Laidlaw olivia.laidlaw@slam.nhs.uk

Yours sincerely,

Nina Franklin
Assistant Lawyer

Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

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From: Emily Black
Sent: 25 November 2022 12:04:26
To: 'Nina Franklin'
Subject: RE: Oliver Bernard
Attachments: Order dated 26 October.pdf

Dear Ms Franklin,

Please find attached an Order confirming that TV Edwards have been removed from the record as acting for Mr Bernard in these proceedings.

Kind regards,

Emily

From: Nina Franklin <NFranklin@lambeth.gov.uk>
Sent: 13 September 2022 12:18
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Dear Ms Black,

You will recall from the last hearing that the Judge said that she would re-draft the entire injunction and power of arrest to be re-served on the Defendant

We have accordingly contacted our process server to arrange for service of the same upon your client as per that attached.

We are yet to receive a copy of the directions order.

Yours sincerely,

Nina Franklin
Assistant Lawyer
Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361

Email:nfranklin@lambeth.gov.uk

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From: Emily Black
Sent: 03 August 2022 15:13:09
To: 'Oliver Bernard'
Subject: RE: Your housing case (BER374/1)

Dear Mr Bernard,

Thank you for your below response and the other emails you forwarded to me.

To clarify:

- I understand you are not with a doctor at the moment. However, I note that your prescription says the next review date was 1 August. I was asking you who was going to do this review as you do not have a GP?
- The speakers are relevant to the injunction as you are accused of playing loud music. Please let me know if you work out when you got rid of the speakers.
- Please confirm whether or not you are currently taking all of the medications that are listed on your prescription.

I think we can wait until you come into the office next week to sign the new Legal Aid form.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 01 August 2022 18:51
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case (BER374/1)

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right now I am not with a doctor as you know, the assistance from Olivia will not help my case. I can look at the footage for the speakers but that is not the issue raised in the injunction. The phone records are on their way as I have requested them and will check to see how long it will be before they get here. Last but not least, the medication I am taking is ok.

I have not received the legal aid papers yet

On Mon, Aug 1, 2022 at 12:20 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for sending various documents over the weekend.
>
> Please can you let me know the following:

- The prescription says the next review date is 1 August 2022. Do you know if that review is happening? If so, who is carrying out the review?
- Are you currently taking all of the medications that are listed on your prescription?
- Were you able to get hold of your phone records to show your call to the police on 27 April?
- Were you able to confirm what date it was that you got rid of your speakers?
- Have you followed up on the appointment offered by Olivia Laidlaw?

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Katie Brown
Sent: 03 October 2022 11:35:52
To: 'Oliver Bernard'
Cc: Caroline Bird;Emily Black
Subject: Appointment with Dr Suleman - Monday 10 October 2022
Attachments: Suleman, Dr Sajid.pdf.pdf

Dear Mr Bernard

I write to confirm your appointment with Dr Suleman on Monday 10 October at 5.45pm.

The venue is **Regus, Romer House, 132 Lewisham, High Street, SE13 6EE**

Dr Suleman has confirmed that your sister / a third party can attend the beginning of the meeting until a rapport is established between yourself and Dr Suleman.

I also attach Dr Suleman's CV for your information and as requested.

It is essential to your case that you attend this meeting with Dr Suleman. If you do not attend the assessment then this firm may not be able to continue to act for you due to our concerns about your capacity to instruct this firm in the proceedings.

Kind regards

Katie Brown

From: Emily Black
Sent: 28 September 2022 16:30
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Cc: Caroline Bird <Caroline.Bird@tvedwards.com>
Subject: RE: Change of date for appointment with Dr Suleman - 10 October 2022

Dear Mr Bernard,

Please note that I will be out of the office from tomorrow, returning on 11 October.

Please "reply all" to this email, ensuring my colleague Caroline Bird is copied in, to confirm your attendance at the appointment with Dr Suleman on **Monday 10 October at 5:45pm**. Apologies, I initially said Friday but it is a Monday.

If you need to speak with somebody whilst I am away, please call the office on 0203 440 8000 and ask for Caroline Bird (except for on 3 – 5 October inclusive when you should ask for Katie Brown instead).

Kind regards,

Emily

From: Emily Black
Sent: 28 September 2022 08:27
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Change of date for appointment with Dr Suleman - 10 October 2022

Dear Mr Bernard,

Please can you confirm that you're able to attend the new appointment date?

Kind regards,

Emily

From: Emily Black
Sent: 26 September 2022 16:43
To: Oliver Bernard <oliverbernard521@gmail.com>
Subject: Change of date for appointment with Dr Suleman - 10 October 2022

Dear Mr Bernard,

Unfortunately Dr Suleman has had to change the date of your appointment.

The appointment is now as follows:

Date: Friday 10th of October 2022
Time: 5:45 PM- 7:45 PM
Venue: Regus, Romer House, 132 Lewisham, High Street, SE13 6EE

Please confirm that you can make this appointment.

Kind regards,

Emily

From: Katie Brown
Sent: 07 October 2022 13:45:24
To: 'Oliver Bernard'
Cc: Caroline Bird;Emily Black
Subject: RE: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital

Dear Mr Bernard

You have forwarded this email below but you have not explained why.

My colleague Caroline has been trying to contact you and has left a voicemail but has not been able to reach you. Can you please call her to discuss your case and to explain why you have sent us this email below? Her number is 020 3440 8325.

I note that the appointment at CWH is at 12noon on Monday. Your appointment with the psychiatrist is at 5.45pm so you should still be able to attend the appointment with Dr Suleman.

As I advised in my previous email, if you do not attend the appointment with Dr Suleman we may not be able to continue to act for you as we have concerns about your capacity to instruct us directly.

Regards

Katie Brown

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 06 October 2022 11:32
To: Katie Brown <Katie.Brown@tvedwards.com>
Subject: Fwd: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital

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---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Thu, Oct 6, 2022 at 11:22 AM
Subject: Re: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital
To: Chelsea & Westminster NHSFT <no-reply@drdoctor.co.uk>, Emily Black <Emily.Black@tvedwards.com>

On Wed, Oct 5, 2022 at 11:24 AM Chelsea & Westminster NHSFT <no-reply@drdoctor.co.uk> wrote:

Your appointment reminder

View appointment online

Chelsea and Westminster Hospital

Mon 10th Oct 12.00pm

OLIVER BERNARD,

Burns appointment reminder: Mon 10th Oct at 12.00pm at Chelsea and Westminster Hospital

View your appointment online: https://drdoctor.thirdparty.nhs.uk/pNAbM4FG9PWzV

For queries call 020 3315 6666

Please attend the hospital. Not attending costs NHS approx. £160.

Chelsea and Westminster Hospital
Burns Unit
Fifth Floor, Main Building
Chelsea and Westminster Hospital
369 Fulham Road
SW10 9NH
020 3315 6666

NHS
Chelsea and Westminster Hospital
NHS Foundation Trust

West Middlesex University Hospital | Chelsea and Westminster Hospital

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Sent by DrDoctor on behalf of Chelsea & Westminster NHSFT

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From: Emily Black
Sent: 08 August 2022 11:40:33
To: 'Oliver Bernard'
Subject: RE: Your housing case (BER374/1)

Dear Mr Bernard,

Thank you for the emails that you sent to me over the weekend.

Please can you let me know if you still have the piece of paper that Jummy Rufai gave to you on 27 April about your new wash day? If you do, please send a copy of this to me.

I note that you say the letter from Dr Matthew Green contains information which is not true. Please can you confirm which parts are untrue?

I am also waiting for a response from you to my below email, which I have copy and pasted here for ease:

- I understand you are not with a doctor at the moment. However, I note that your prescription says the next review date was 1 August. I was asking you who was going to do this review as you do not have a GP?
- The speakers are relevant to the injunction as you are accused of playing loud music. Please let me know if you work out when you got rid of the speakers.
- Please confirm whether or not you are currently taking all of the medications that are listed on your prescription.

Kind regards,

Emily

From: Emily Black
Sent: 03 August 2022 15:13
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Your housing case (BER374/1)

Dear Mr Bernard,

Thank you for your below response and the other emails you forwarded to me.

To clarify:

- I understand you are not with a doctor at the moment. However, I note that your prescription says the next review date was 1 August. I was asking you who was going to do this review as you do not have a GP?

- The speakers are relevant to the injunction as you are accused of playing loud music. Please let me know if you work out when you got rid of the speakers.
- Please confirm whether or not you are currently taking all of the medications that are listed on your prescription.

I think we can wait until you come into the office next week to sign the new Legal Aid form.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 01 August 2022 18:51
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case (BER374/1)

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right now I am not with a doctor as you know, the assistance from Olivia will not help my case. I can look at the footage for the speakers but that is not the issue raised in the injunction. The phone records are on their way as I have requested them and will check to see how long it will be before they get here. Last but not least, the medication I am taking is ok.

I have not received the legal aid papers yet

On Mon, Aug 1, 2022 at 12:20 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for sending various documents over the weekend.
>
> Please can you let me know the following:
>
> - The prescription says the next review date is 1 August 2022. Do you know if that review is happening? If so, who is carrying out the review?
> - Are you currently taking all of the medications that are listed on your prescription?
> - Were you able to get hold of your phone records to show your call to the police on 27 April?
> - Were you able to confirm what date it was that you got rid of your speakers?
> - Have you followed up on the appointment offered by Olivia Laidlaw?
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Emily Black
Sent: 08 August 2022 15:06:15
To: 'Oliver Bernard'
Subject: RE: Your housing case (BER374/1)

Dear Mr Bernard,

I write following our telephone conversation earlier today.

Our meeting tomorrow has been confirmed with my colleague. Can you attend our office at 35-37 Mile End Road, E1 4TP tomorrow at 3pm? Please note this is a different office to where we previously met.

You said that you are currently taking the following medication:

- Mirtazapine
- Metformin
- Clonazepam
- Atorvastatin
- Procyclidine

Please confirm this is correct. You also said you are taking another anti-psychotic, please confirm the name of this.

Kind regards,

Emily

From: Emily Black
Sent: 08 August 2022 11:41
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Your housing case (BER374/1)

Dear Mr Bernard,

Thank you for the emails that you sent to me over the weekend.

Please can you let me know if you still have the piece of paper that Jummy Rufai gave to you on 27 April about your new wash day? If you do, please send a copy of this to me.

I note that you say the letter from Dr Matthew Green contains information which is not true. Please can you confirm which parts are untrue?

I am also waiting for a response from you to my below email, which I have copy and pasted here for ease:

- I understand you are not with a doctor at the moment. However, I note that your prescription says the next review date was 1 August. I was asking you who was going to do this review as you do not have a GP?
- The speakers are relevant to the injunction as you are accused of playing loud music. Please let me know if you work out when you got rid of the speakers.
- Please confirm whether or not you are currently taking all of the medications that are listed on your prescription.

Kind regards,

Emily

From: Emily Black
Sent: 03 August 2022 15:13
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Your housing case (BER374/1)

Dear Mr Bernard,

Thank you for your below response and the other emails you forwarded to me.

To clarify:

- I understand you are not with a doctor at the moment. However, I note that your prescription says the next review date was 1 August. I was asking you who was going to do this review as you do not have a GP?
- The speakers are relevant to the injunction as you are accused of playing loud music. Please let me know if you work out when you got rid of the speakers.
- Please confirm whether or not you are currently taking all of the medications that are listed on your prescription.

I think we can wait until you come into the office next week to sign the new Legal Aid form.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 01 August 2022 18:51
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case (BER374/1)

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right now I am not with a doctor as you know, the assistance from Olivia will not help my case. I can look at the footage for the speakers but that is not the issue raised in the injunction. The phone records are

on their way as I have requested them and will check to see how long it will be before they get here. Last but not least, the medication I am taking is ok.

I have not received the legal aid papers yet

On Mon, Aug 1, 2022 at 12:20 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for sending various documents over the weekend.
>
> Please can you let me know the following:
>
> - The prescription says the next review date is 1 August 2022. Do you know if that review is happening? If so, who is carrying out the review?
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> - Have you followed up on the appointment offered by Olivia Laidlaw?
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Emily Black
Sent: 08 September 2022 10:20:45
To: 'Oliver Bernard'
Subject: RE: Criminal Matter
Attachments: HearingBundle10622-V1.pdf.pdf

Dear Oliver,

It is the second witness statement of Janet Coote in the attached bundle that we have discussed.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 08 September 2022 06:56
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Criminal Matter

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The papers you mentioned to about me being under MAPPA and me being referred to move out London by Miss Cooht (Lambeth(and the police Which you side would a criminal matter

On Wed, Sep 7, 2022 at 4:08 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> I'm not sure which papers you are referring to. Please specify.
>
> Kind regards,
>
> Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 07 September 2022 16:04
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Criminal Matter

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Please could you send the papers that you said were of criminal matters to Tosswil & Co solicitors Phone number 02086749494 who look at them for me. Please retain a copy as part of case work file and I will use the link as you asked. I hope it works.

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From: Katie Brown
Sent: 10 October 2022 09:38:07
To: 'Oliver Bernard'
Cc: Caroline Bird;Emily Black
Subject: Your injunction case

Dear Mr Bernard

I note that you have not responded to my email below, but you have sent an email to Emily (which you have then forwarded to me) arguing that “mental health has nothing” to do with your case.

Emily has explained very often during your case why it is important for us to obtain a medical report for your case. The big issue for us at the moment is that we are very concerned about your ability to instruct us directly in your injunction matter. If you do not attend the meeting with the psychiatrist today and we do not obtain a report on your capacity to instruct us then it is highly likely that we will need to ask the court to come off the record as acting for you on the basis that we cannot take instructions directly from you. You would then need to find other lawyers to represent you in the case, and they may also refuse to act for you if they reach the same conclusion as us.

I do feel it would be best for you to speak with my colleague Caroline today so that she can talk through these issues with you. I will ask Caroline to try and call you to speak with you today.

If you do not attend the assessment with Dr Suleman today then the next step will be for us to ask the court to take us off the court record as acting for you. Therefore, I would strongly suggest that you speak with Caroline today and attend the meeting.

Regards

Katie Brown

From: Katie Brown
Sent: 07 October 2022 13:45
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Cc: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital

Dear Mr Bernard

You have forwarded this email below but you have not explained why.

My colleague Caroline has been trying to contact you and has left a voicemail but has not been able to reach you. Can you please call her to discuss your case and to explain why you have sent us this email below? Her number is 020 3440 8325.

I note that the appointment at CWH is at 12noon on Monday. Your appointment with the psychiatrist is at 5.45pm so you should still be able to attend the appointment with Dr Suleman.

As I advised in my previous email, if you do not attend the appointment with Dr Suleman we may not be able to continue to act for you as we have concerns about your capacity to instruct us directly.

Regards

Katie Brown

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 06 October 2022 11:32
To: Katie Brown <Katie.Brown@tvedwards.com>
Subject: Fwd: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital

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---------- Forwarded message ---------
From: **Oliver Bernard** <oliverbernard521@gmail.com>
Date: Thu, Oct 6, 2022 at 11:22 AM
Subject: Re: Your appointment reminder: Mon 10th Oct 12.00pm at Chelsea and Westminster Hospital
To: Chelsea & Westminster NHSFT <no-reply@drdoctor.co.uk>, Emily Black <Emily.Black@tvedwards.com>

On Wed, Oct 5, 2022 at 11:24 AM Chelsea & Westminster NHSFT <no-reply@drdoctor.co.uk> wrote:

Your appointment reminder

View appointment online

Chelsea and Westminster Hospital

Mon 10th Oct 12.00pm

OLIVER BERNARD,

Burns appointment reminder: Mon 10th Oct at 12.00pm at Chelsea and Westminster Hospital

View your appointment online: https://drdoctor.thirdparty.nhs.uk/pNAbM4FG9PWzV

For queries call 020 3315 6666

Please attend the hospital. Not attending costs NHS approx. £160.

Chelsea and Westminster Hospital
Burns Unit
Fifth Floor, Main Building
Chelsea and Westminster Hospital
369 Fulham Road
SW10 9NH
020 3315 6666

NHS
Chelsea and Westminster Hospital
NHS Foundation Trust

West Middlesex University Hospital | Chelsea and Westminster Hospital

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From: Emily Black
Sent: 11 July 2022 14:45:14
To: 'Oliver Bernard'
Subject: RE: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

Dear Mr Bernard,

Thank you for this. Are you able to send me the letters from Miriam and Zoe that you mentioned please?

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 11 July 2022 14:30
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

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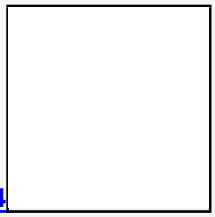
This is just one of the recording i have. i have audio recordings please wait for me to get them uploaded if you need them

CCTV 27.07.2022.mp4



On Fri, Jul 1, 2022 at 9:04 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:

---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Fri, Jun 17, 2022 at 10:04 AM
Subject: RE: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Nice to meet you yesterday. This is the order of what the judge agreed at last hearing just saying the injunction continues until next order and hearing is adjourned to allow for you to meet with me and also get legal representation. The judge will then consider if this injunction order should continue at next hearing.

They should email you when they get the next court date as this hasn't been set yet.

Here is the list of solicitors you could try and contact if haven't already done so

1. TV Edwards LLP - 18 St Johns Road, London, London, SW11 1PN, England or 35 -37 Mile end road, E1 4TP – 020 3440 8314
2. Emin Read Solicitors - 25 Balham Hill, London, SW12 9DX, England - 020 7733 9898
3. Clapham Law LLP - 9 Bedford Road, Clapham, London, SW4 7SH, England - Tel:02072071916
4. Charles Allotey & Co - 140-142 Stockwell Road, London, United Kingdom, SW9 9TQ, England Tel:02077386777
5. Leigh Day - eigh Day, Woodlands Day Centre, 16 Leigham Court Road, Streatham, London, SW16 2PJ, England
Tel:02076501200
6. Abbotts Martin - :
Lilford Business Centre, 61 Lilford Road, London, SE5 9HY, England Tel: 02078460285

I will let housing know you still have not been able to get a solicitor

Thanks

Miriam

Miriam Hargreaves
Pronounced Mi-re-am Har-greeves
Pronouns: Her/She

Social Worker
Adult Mental Health Service
Adults and Public Health Directorate
London Borough of Lambeth
380 Streatham High Road
SW16 6HP
Tel: 0207 926 9550

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 16 June 2022 16:30
To: Miriam Hargreaves <MHargreaves@lambeth.gov.uk>
Subject: Fwd: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order

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As received today after your visit

---------- Forwarded message ---------
From: **Nina Franklin** <NFranklin@lambeth.gov.uk>
Date: Thu, Jun 16, 2022 at 12:26 PM
Subject: FW: Lambeth v Oliver Bernard, Claim No. J01EC769, Hearing on 10.6.22/ Draft Order
To: Oliverbernard521@gmail.com <Oliverbernard521@gmail.com>
Cc: Janet Coote <JCoote@lambeth.gov.uk>, Margaret Akinso <MAkinso@lambeth.gov.uk>

Dear Mr Bernard,

I have been informed by our barrister that we are required to email you a copy of the draft court order that was made on Friday 10 June 2022.
A copy has been sent to the Judge for his approval. Once we receive a copy of the courts sealed version and a hearing date, this will be provided to you.

Yours sincerely,

Nina Franklin
Assistant Lawyer
Housing Legal Services
Integrated Support
London Borough of Lambeth
PO Box 733
WINCHESTER
SO23 5DH

Tel: 020 79262505
Mobile:07958 493209
Fax: 020 7926 2361
Email:nfranklin@lambeth.gov.uk

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From: Emily Black
Sent: 12 July 2022 13:42:28
To: 'Oliver Bernard'
Subject: RE: Your housing case

Dear Oliver,

Ok – how do you know the outcome of the assessments?
Please read the rest of my below email too - will you be available to come to our office on Mile End Road on the afternoon of 9 August?
Kind regards,
Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 13:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

No all that i got was in the Email

On Tue, Jul 12, 2022 at 1:36 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for your recent emails.
>
> You mentioned that both Miriam and Zoe assessed you and concluded that you do not have any health issues requiring support at present. Please can you send me details of these assessments?
>
> I will shortly be sending to you our client care letters and our advice. We previously discussed having a Teams meeting this week to take your instructions. I consider that it would be better to wait until I have received all the papers, from both your landlord and medical professionals, and then for us to have a meeting in the office to go through everything once you are back from your holiday.
>
> Will you be available to come to our office on Mile End Road on the afternoon of 9 August?
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Emily Black
Sent: 14 July 2022 14:31:43
To: 'Oliver Bernard'
Subject: RE: Your housing case
Attachments: SW01 Client Care Letter.pdf, SW02 Client 1st Letter When DF Exercised.pdf, NCAF new client advice form.pdf

Dear Mr Bernard,

Please find attached our client care letters and our initial advice letter for your attention.

We can discuss these letters over the phone once you have had chance to read them.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 23:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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yes i will

On Tue, Jul 12, 2022 at 1:42 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Ok – how do you know the outcome of the assessments?
> Please read the rest of my below email too - will you be available to come to our office on Mile End Road on the afternoon of 9 August?
> Kind regards,
> Emily

Emily Black

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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 13:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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No all that i got was in the Email

On Tue, Jul 12, 2022 at 1:36 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for your recent emails.
>
> You mentioned that both Miriam and Zoe assessed you and concluded that you do not have any health issues requiring support at present. Please can you send me details of these assessments?
>
> I will shortly be sending to you our client care letters and our advice. We previously discussed having a Teams meeting this week to take your instructions. I consider that it would be better to wait until I have received all the papers, from both your landlord and medical professionals, and then for us to have a meeting in the office to go through everything once you are back from your holiday.
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From: Emily Black
Sent: 15 July 2022 15:24:16
To: 'Oliver Bernard'
Subject: RE: Your housing case
Attachments: sar-consent.docx

Dear Mr Bernard,

As you are not currently registered with a GP, we must request your medical records from Primary Care Support England instead. This is a bit more tricky than the usual process and they require the following:

- Photo ID such as passport or driving licence; and
- The completed attached consent form.

Are you able to sign and date the attached (three times where the form requests) and send me a picture of your ID please?

I understand that you are away at the moment but we need to get this request in as soon as possible with the aim of getting your records well in advance of the hearing.

Kind regards,

Emily

From: Emily Black
Sent: 14 July 2022 14:32
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Your housing case

Dear Mr Bernard,

Please find attached our client care letters and our initial advice letter for your attention.

We can discuss these letters over the phone once you have had chance to read them.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 23:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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From: Emily Black
Sent: 17 August 2022 15:22:18
To: 'Oliver Bernard'
Subject: RE: Your case (BER374/1)
Attachments: A20 Brief to Counsel.pdf, Bundle of docs for counsel - items 2 to 5.pdf

Dear Mr Bernard,

Please find attached the instructions and enclosures that I sent to your barrister last week. I also sent the CCTV footage from 27 April 2022 and the recording of your discussion with the police on 27 April, but I have not attached those videos here due to their size.

Your barrister is now considering the case and will provide her advice by the end of the week.

She may have further questions for you and it may be appropriate to have a conference with her, but I will check that with her once she has provided her advice. We also need to keep in mind that you are funded by Legal Aid and therefore any conference with the barrister would need to be a reasonable cost.

It is sensible for us to wait for your barrister's advice before taking the next steps and/or discussing the case.

Kind regards,

Emily

From: Emily Black
Sent: 15 August 2022 09:51
To: Oliver Bernard <oliverbernard521@gmail.com>
Subject: Your case (BER374/1)

Dear Mr Bernard,

Please find attached our advice letter which I sent to you on 14 July.

I have taken further instructions from you since this letter was drafted, and therefore some of the information in it has changed (i.e. you have confirmed that you are still taking medication) – but the section about the legal position remains the same.

Kind regards,

Emily

From: Emily Black
Sent: 28 September 2022 08:27:09
To: 'Oliver Bernard'
Subject: RE: Change of date for appointment with Dr Suleman - 10 October 2022

Dear Mr Bernard,

Please can you confirm that you're able to attend the new appointment date?

Kind regards,

Emily

From: Emily Black
Sent: 26 September 2022 16:43
To: Oliver Bernard <oliverbernard521@gmail.com>
Subject: Change of date for appointment with Dr Suleman - 10 October 2022

Dear Mr Bernard,

Unfortunately Dr Suleman has had to change the date of your appointment.

The appointment is now as follows:

Date: Friday 10th of October 2022
Time: 5:45 PM- 7:45 PM
Venue: Regus, Romer House, 132 Lewisham, High Street, SE13 6EE

Please confirm that you can make this appointment.

Kind regards,

Emily

From: Emily Black
Sent: 28 September 2022 16:29:55
To: 'Oliver Bernard'
Cc: Caroline Bird
Subject: RE: Change of date for appointment with Dr Suleman - 10 October 2022

Dear Mr Bernard,

Please note that I will be out of the office from tomorrow, returning on 11 October.

Please "reply all" to this email, ensuring my colleague Caroline Bird is copied in, to confirm your attendance at the appointment with Dr Suleman on **Monday 10 October at 5:45pm**. Apologies, I initially said Friday but it is a Monday.

If you need to speak with somebody whilst I am away, please call the office on 0203 440 8000 and ask for Caroline Bird (except for on 3 – 5 October inclusive when you should ask for Katie Brown instead).

Kind regards,

Emily

From: Emily Black
Sent: 28 September 2022 08:27
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Change of date for appointment with Dr Suleman - 10 October 2022

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The appointment is now as follows:

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Time: 5:45 PM- 7:45 PM
Venue: Regus, Romer House, 132 Lewisham, High Street, SE13 6EE

Please confirm that you can make this appointment.

Kind regards,

Emily

From: Emily Black
Sent: 01 September 2022 15:41:50
To: 'Pollyanna Batkin'
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

Hi Pollyanna,

Thanks, your colleague Felix has dealt with this enquiry and we have Dr Suleman booked in.

Kind regards,

Emily

From: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
Sent: 01 September 2022 15:41
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

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Good afternoon ,

I hope you are well.

Further to my below emails, as I haven't heard from you, I will close this enquiry for the time being.

If I can be of any further assistance at all, please do let me now.

Kind regards,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

pollyanna@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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Please note that any documents received in hard copy will be scanned and stored securely in our system while the hard copies are securely destroyed.

From: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Tuesday August 23, 2022 09:56 am

Dear Emily ,

Thankyou for your email.

Please see below updated timescales:

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Vanessa Raymont is currently able to provide a report 6 weeks from the receipt of a letter of instruction. She is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Please do let me know if you require any further assistance at all.

Kind regards ,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130
pollyanna@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill on Sea, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 09:52
To: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

Hi Pollyanna,

This is a different enquiry to my previous one. Do the available experts and their timescales remain the same?

Kind regards,

Emily

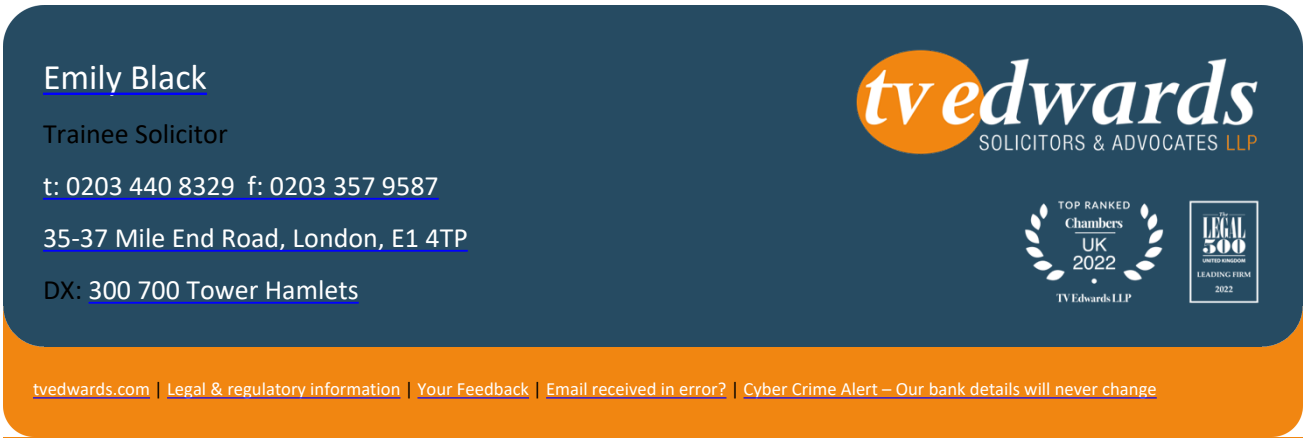
Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets



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From: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
Sent: 23 August 2022 09:31
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

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Good morning ,

I hope you are well.

Please do let me know if you require any further assistance at all.

Alternatively , if you no longer wish to instruct an expert , please do let me know and I will close the enquiry.

Kind regards ,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

pollyanna@expertinmind.co.uk

www.expertinmind.co.uk

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Monday August 8, 2022 03:27 pm

Dear Emily ,

I hope you are well,

Following on from my below email, please do let me know if you require any further information at all.

Kind regards,

Pollyanna Batkin
Office Administrator

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FAX +44 (0) 1424 234 625
pollyanna@expertinmind.co.uk
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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Wednesday August 3, 2022 10:27 am

Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Ajay Bhatnagar, Professor Chris Fox, Dr. Jan Falkowski, Dr. Waquas Waheed, Dr. Vanessa Raymont, Dr. Pavan Chahl, Psychiatrists who would be suitable to assist. I detail below their current timescales, fees and locations:

Dr. Ajay Bhatnagar is currently able to provide a report 3 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Professor Chris Fox is currently able to provide a report 6 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

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Dr. Vanessa Raymont is currently able to provide a report 6 weeks from the receipt of a letter of

instruction. She is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 6 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Pollyanna Batkin
Office Administrator

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From: Emily Black
Sent: 23 August 2022 09:51:35
To: 'Pollyanna Batkin'
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

Hi Pollyanna,

This is a different enquiry to my previous one. Do the available experts and their timescales remain the same?

Kind regards,

Emily

From: Pollyanna Batkin <Pollyanna@expertinmind.co.uk>
Sent: 23 August 2022 09:31
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]

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Good morning ,

I hope you are well.

Please do let me know if you require any further assistance at all.

Alternatively , if you no longer wish to instruct an expert , please do let me know and I will close the enquiry.

Kind regards ,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625

pollyanna@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: RE: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Monday August 8, 2022 03:27 pm

Dear Emily ,

I hope you are well,

Following on from my below email, please do let me know if you require any further information at all.

Kind regards,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
pollyanna@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Pollyanna@expertinmind.co.uk
To: Emily Black <Emily.Black@tvedwards.com>
Cc:
Subject: Psychiatric assessment enquiry - Expert Details - [EID:15753]
Sent: Wednesday August 3, 2022 10:27 am

Dear Emily,

Thank you for your enquiry. Please see attached the CVs of Dr. Ajay Bhatnagar, Professor Chris Fox, Dr. Jan Falkowski, Dr. Waquas Waheed, Dr. Vanessa Raymont, Dr. Pavan Chahl, Psychiatrists who would be suitable to assist. I detail below their current timescales, fees and locations:

Dr. Ajay Bhatnagar is currently able to provide a report 3 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Professor Chris Fox is currently able to provide a report 6 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Dr. Jan Falkowski is currently able to provide a report 5 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Vanessa Raymont is currently able to provide a report 6 weeks from the receipt of a letter of instruction. She is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 6 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00

6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,

Pollyanna Batkin
Office Administrator

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
pollyanna@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Emily Black
Sent: 07 November 2022 17:52:36
To: 'Shyann Weekes'
Cc: Jillian Danielsen
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

Dear Shyann,

Further to our call last week, I have requested payment on account from the LAA for the amended invoice.

I have discussed with my supervisor who has confirmed that payment of the invoice will be made on the basis that we would expect you to refund us the difference if the LAA on assessment refuses to pay the full invoice.

Kind regards,

Emily

From: Shyann Weekes <Shyann@expertinmind.co.uk>
Sent: 01 November 2022 17:07
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

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Dear Emily,

Thank you for your email.

An invoice of 5 hours has been raised the review of case paper which he read in preparation of the assessment, otherwise, he would know no background of the case.

Medical records are not needed in order to assess a client just for the finalisation of the report, sometimes he may ask to speak with a client briefly after seeing medical records but this would only require a quick call to clarify points.

I hope this clarifies your queries. If not, I would be happy for you to call me tomorrow to discuss further.

Kind regards,

Shyann Weekes
Team Manager
EIM

From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 01 November 2022 16:53
To: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: FW: AMENDED: Invoice - Bernard (Work to Date)
Importance: High

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 01 November 2022 16:29
To: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: AMENDED: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the amended invoice but I'm still not clear on the work that Dr Suleman did in advance of the appointment and why that required even five hours of reading. Again, I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment).

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 28 October 2022 12:00
To: Emily Black <Emily.Black@tvedwards.com>
Subject: AMENDED: Invoice - Bernard (Work to Date)
Importance: High

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Morning Emily,

I've asked the case manager to review the fee note as requested, and although 528 pages of reading were received in total, we have reduced the reading fee to the 372 pages received and read in preparation of the appointment as a gesture of good will.

I hope this is agreeable.

Kind Regards,

Jillian Danielsen
Accounts Assistant

Please be aware that as of the 21st March 2022 we are no longer able to accept cheques.
Important re Coronavirus (COVID-19)

We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly. Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 27 October 2022 15:28
To: Jillian Danielsen <Jillian@expertinmind.co.uk>
Subject: RE: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the invoice.

Whilst we are content to pay the 2 hour cancellation fee, I note that the invoice also includes 7 hours reading time, which I think the Legal Aid Agency will raise issue with.

Please can you confirm whether Dr Suleman did read the papers and if so, why did he spend 7 hours doing so, particularly when I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment). I understand some prep work would be required prior to the appointment, but the initial quote included 7 hours of reading time total.

I look forward to hearing from you.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 26 October 2022 16:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Invoice - Bernard (Work to Date)
Importance: High

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Afternoon Emily,

Please find attached the invoice in respect of work completed to date by Dr Suleman in this matter.

We look forward to receiving payment within agreed payment terms (60 days from invoice).

Kind Regards,

Jillian Danielsen
Accounts Assistant

Please be aware that as of the 21st March 2022 we are no longer able to accept cheques.
Important re Coronavirus (COVID-19)

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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FAX +44 (0) 1424 234 625

office@expertinmind.co.uk

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From: Emily Black
Sent: 14 July 2022 14:19:59
To: 'swlccg.thmp@nhs.net'
Subject: Our client Oliver Bernard - DOB 12/10/1965
Attachments: Letter to GP.pdf, FOA.pdf

Dear Sir/Madam,

Please find the attached letter and enclosure for your attention.

We look forward to hearing from you.

Kind regards,

Emily

From: Emily Black
Sent: 15 July 2022 09:55:21
To: 'THMP (THORNTON HEATH HEALTH CENTRE - H83022)'
Subject: RE: Our client Oliver Bernard - DOB 12/10/1965

Hi Gawain,

Thanks for letting me know. I have checked with Mr Bernard and he has not registered at a different surgery, Thornton Heath was the surgery he was last registered at. I believe you should still hold a copy of his records on that basis. Please can you confirm?

Kind regards,

Emily

From: THMP (THORNTON HEATH HEALTH CENTRE - H83022) <croccg.thmp@nhs.net>
Sent: 14 July 2022 14:57
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Our client Oliver Bernard - DOB 12/10/1965

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Good Afternoon,

In regards to Mr Bernard; he is no longer registered at this surgery. Any further information required, please contact their current GP practice.

Many thanks,
Gawain

Thornton Heath Medical Practice
61a Gillett Road
Thornton Heath
Surrey
CR7 8RL

Tel - 020 8664 1590
Fax - 020 8664 1591

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 14 July 2022 14:20
To: THMP (THORNTON HEATH HEALTH CENTRE - H83022) <croccg.thmp@nhs.net>
Subject: Our client Oliver Bernard - DOB 12/10/1965

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Dear Sir/Madam,

Please find the attached letter and enclosure for your attention.

We look forward to hearing from you.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Emily Black
Sent: 15 August 2022 10:20:55
To: Alice Irving
Cc: Isabel Trinder
Subject: LB Lambeth v Oliver Bernard

Hi Alice,

I sent instructions over on this matter on Friday and the hearing is on 24 August.

Mr Bernard has been in touch this morning and he is quite anxious about his case. I'd be very grateful if you could give an idea of when you might be able to have a look at this case and provide advice so I can manage Mr Bernard's expectations.

Thanks v much.

Kind regards,

Emily

From: Emily Black
Sent: 16 September 2022 09:34:52
To: Alice Irving
Subject: Bernard

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

From: Emily Black
Sent: 16 September 2022 14:32:08
To: Alice Irving
Subject: RE: Bernard

Hi Alice,

Thanks for this. I have spoken with Mr Bernard further, he agreed to make them private but not remove them. Some have gone but as you say, some are still there.

I'm just drafting a letter to him now about it. I will include as you say about it being potentially bad for his case, and ask him to remove them within 24 hours.

The assessment is due to take place on 7 October. I do have concerns about Mr Bernard attending as the more time that passes the more reluctant he is. He is regularly mentioning us having "ulterior motives" for wanting to get the assessment. I am going to send him a separate letter today to set out again why the assessment is important to his case.

Given it's not until the 7 October, I can send over the additional capacity question you mention.

Kind regards,

Emily

From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:01
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily,

My last check the videos are still up.

Have you had any further conversations or correspondence with Mr Bernard? I think if we can try to get him to cooperate to take them down that is best, on the basis that if he didn't post them, and we tell him it is bad for his case for his private conversations with his lawyers to be online and accessible, then he will hopefully agree to access his account and take them down.

If he will not agree to take them down, then I think we need to consider notifying YouTube to see if we can have them take the content down. I have not had a chance to check over what else is on the channel, but we need to see if there is anything else there that is potentially prejudicial to the case and to talk to Mr Bernard about not putting content online going forwards.

Hopefully we can do this cooperatively. If we are unable to get Mr Bernard to cooperate, we may need to consider a COP application – but that is last resort territory.

Can you let me know what has happened with the assessment? It might be worth adding in an additional question about capacity to make decisions around posting content online, if the report/observation is not already complete.

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Friday, 16 September 2022 at 09:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Goodness. This is a first. Well done for spotting it.

Where are we up to with the capacity assessment for the client?

All best,

Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

External

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Emily Black
Sent: 22 August 2022 17:36:44
To: Alice Irving
Subject: Bernard hearing bundle
Attachments: Hearingbundlefor24822-V1.pdf.pdf

Please find attached.

Thanks

From: Emily Black
Sent: 23 August 2022 08:35:17
To: Alice Irving
Subject: RE: Oliver Bernard

Hi Alice,

Lovely to meet you too!

Thanks for this. I'll write to client and then the other side today. I'll make some enquiries of experts we regularly use.

Steps taken to obtain medical records:

- 14/07 I wrote to Thornton Heath Medical Practice requesting medical records – client had instructed this was his GP surgery;
- 14/07 Thornton Heath Medical Practice responded to say client was no longer registered at that surgery;
- 26/07 I made a SAR with Primary Care Support England (PCSE - apparently this is who holds medical records for individuals who are not registered with a GP);
- 27/07 I wrote to South London and Maudsley (SLaM) NHS Trust requesting the records they hold for the client as he is known to them;
- 29/07 SLaM responded to confirm receipt of my request;
- 04/08 PCSE responded to say they have received my application, there then needs to be a decision on disclosure and then four weeks to get the records;
- 11/08 I chased SLaM;
- 12/08 SLaM responded to say that there's been a nation systems outage so experiencing technical issues with their clinical system and causing a delay in processing requests.

I will chase both PSCSE and SLaM now.

Kind regards,

Emily

From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 22 August 2022 20:32
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Lovely to meet you today.

Just to follow up after the meeting, as discussed, I have concerns as to the client's litigation capacity. He may have capacity, but there are sufficient factors present that give me cause to be concerned such that I believe he should be formally assessed. These include:

- Some of the allegations involve unusual behaviour that may be linked to mental health difficulties.
- The multi-disciplinary meeting resulted in a decision to refer the client for a mental health assessment, because of concerns his mental health had deteriorated, but the client did not engage.
- The client today confirmed he was not taking his anti-psychotic medications, although it was very unclear whether he had stopped taking these about six months ago or only much more recently when he was unable to obtain a repeat prescription.
- The client confirmed that he is currently hearing voices who talk to him about the case.
- The client was at times not particularly coherent, talking about various biblical passages and other books, Lucifer playing tricks on him etc. However, when it was possible to bring the client back to focus, he did seem to be able to engage.

It was positive the client seemed willing to engage in an assessment. It seems the client does have injunction capacity as he was clear as to the terms of the injunction and does appear to have been complying with it.

We need to flag to the other side ASAP (once we've confirmed with the client this is what will happen) that we have capacity concerns and are seeking an assessment and as such will be seeking directions to this effect at the hearing on Wednesday. Unfortunately, I don't think we are likely to be able to manage this by consent order, as I doubt they will agree to reducing the scope of the interim injunction and I think we should at least try this. We could ask them if they will agree to the POA being removed from para 2 of the injunction, on the basis this does not meet the test in s.4 ASBCPA 2014.

As discussed, please send me briefly notes on the steps taken to date to obtain the client's medical records.

Thanks for all your assistance.

Kind regards,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 19 August 2022 at 14:20
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi Alice,

Thanks, Mr Bernard has confirmed that he can attend at 4pm on Monday.

I've attached the two assessment documents that I have.

I haven't taken instructions re current alcohol or drug use – perhaps we can approach this on Monday.

I have viewed the CCTV footage all the way through in that I have skipped through it to determine that nothing happens outside of the pinpointed hours – but not watched it second by second.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 19 August 2022 13:46
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

Thank you for your call.

I appreciate this is a finely balanced case and it is useful for me to meet the client in person.

Can I follow up below on the reference to the June 2022 Care Act assessment which I don't have a copy of I don't think? That would assist me.

Kind regards,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

DX: 223 Chancery Lane

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Thursday, 18 August 2022 at 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

- Given this, I think that ethically we are required to raise with the court, and flag to other side, that we have concerns as to our client's litigation capacity. Further steps should not be taken in these proceedings until the issue of capacity is determined (see CPR 21.3). We should invite the other side to agree to a further adjournment to allow us to instruct an expert to assess our client. Do you have someone you usually work with? How long do they generally take? That should inform the proposed length of adjournment.

- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

- As we are going to need an expert report on capacity, we should also have this cover the ground we need for any potential disability discrimination defence in relation to the ASBI application. Further, I understand there are parallel possession proceedings. Ideally we would also cover any issues arising in that context, to try to make sure we get the most out of instructing the expert we can. Please do send a LOI to me to review prior to providing to the expert. Please note that I am on leave from 29 August – 12 September.

Otherwise:

- Have we asked the client whether he is currently using alcohol, or any other drugs? This seems to have been a prior trigger for behavioural issues. This would of course complicate the position in relation to any disability discrim defence.

- My instructions refer to a Care Act assessment from June 2022, but I don't seem to have a copy of the same. Please can you send this over.

- Have you viewed the CCTV footage in full, such that I only need to view the pinpoint references you have given in instructions, or is it necessary for me to view all of the footage? If someone has already reviewed the footage in full and you are satisfied I do not need to, that will save the LAA money. If it needs reviewing in full, let me know.

Let me know if you have any questions arising.

Kind regards,
Alice

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From: Emily Black
Sent: 23 August 2022 16:07:56
To: Alice Irving
Subject: RE: Oliver Bernard

Hi again Alice,

I wrote to Mr Bernard setting out what we decided after the meeting yesterday. As we discussed I asked him if he was happy for me to pass this on to his landlord as we need to let them know what we will be asking for at the hearing.

Unfortunately I've not received any instructions back from him. My supervisor has suggested I don't chase him as it may rock the boat again before tomorrow.

As such, I think it will be left for you to raise this with their barrister before the hearing tomorrow. Sorry if that makes things more difficult for you.

It would also be good to see if they have an update regarding alternative accommodation.

I have today received client's records from PCSE. Nothing from SLaM as yet.

I have got the below timescales for an expert report from the company we usually use, Expert in Mind:

- Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.
- Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.
- Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.
- Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 August 2022 08:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

Hi Alice,

Lovely to meet you too!

Thanks for this. I'll write to client and then the other side today. I'll make some enquiries of experts we regularly use.

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Emily

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 22 August 2022 20:32
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

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this effect at the hearing on Wednesday. Unfortunately, I don't think we are likely to be able to manage this by consent order, as I doubt they will agree to reducing the scope of the interim injunction and I think we should at least try this. We could ask them if they will agree to the POA being removed from para 2 of the injunction, on the basis this does not meet the test in s.4 ASBCPA 2014.

As discussed, please send me briefly notes on the steps taken to date to obtain the client's medical records.

Thanks for all your assistance.

Kind regards,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 19 August 2022 at 14:20
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Oliver Bernard

External

Hi Alice,

Thanks, Mr Bernard has confirmed that he can attend at 4pm on Monday.

I've attached the two assessment documents that I have.

I haven't taken instructions re current alcohol or drug use – perhaps we can approach this on Monday.

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 19 August 2022 13:46
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Oliver Bernard

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Hi Emily,

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Can I follow up below on the reference to the June 2022 Care Act assessment which I don't have a copy of I don't think? That would assist me.

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Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

E: a.irving@doughtystreet.co.uk
T: 020 7404 1313

London Office:
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London WC1N 2LS

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Thursday, 18 August 2022 at 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Oliver Bernard

Dear Emily,

Following on from our conversation earlier today:

- I am of the view that there may be a disability discrimination defence, given that some of the allegations involve somewhat bizarre behaviour and the Applicant's own Equality Act assessment acknowledges a connection between the nuisance behaviour and a disability (see page 41 of the Bundle prepared for the hearing).

- If Mr Bernard does not believe that his mental health issues are currently active or have any bearing on his behaviour, it seems likely that this may compromise his ability to weigh our advice and instruct in relation to these proceedings. I note from your instructions that he becomes agitated when you try to explore this topic further with him, seeing it as irrelevant to the current proceedings. I am also concerned by the different instructions Mr Bernard has given about whether he is taking any medications, given he is prescribed a number of psychiatric drugs.

- Given this, I think that ethically we are required to raise with the court, and flag to other side, that we have concerns as to our client's litigation capacity. Further steps should not be taken in these proceedings until the issue of capacity is determined (see CPR 21.3). We should invite the other side to agree to a further adjournment to allow us to instruct an expert to assess our client. Do you have someone you usually work with? How long do they generally take? That should inform the proposed length of adjournment.

- In terms of the current interim injunction in place, we could try to argue that this should not remain in force given doubts about our client's capacity. It depends very much on the judge whether this argument will succeed or not. What are your views, if any, about the ability of our client to comply with the terms of the interim injunction?

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Further, I understand there are parallel possession proceedings. Ideally we would also cover any issues arising in that context, to try to make sure we get the most out of instructing the expert we can. Please do send a LOI to me to review prior to providing to the expert. Please note that I am on leave from 29 August – 12 September.

Otherwise:

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Let me know if you have any questions arising.

Kind regards,
Alice

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From: Emily Black
Sent: 24 August 2022 17:50:42
To: Alice Irving
Subject: Bernard LOI
Attachments: DRAFT Letter of Instruction.doc

Hi Alice,

Please find draft attached.

You'll see that the background re proceedings and medical history has not been completed yet. I thought it was important to get this to you today so you could make any comments on the legal framework and specific questions we're asking him, hopefully so I can finalise and send out to Dr Suleman next week.

Have confirmed appt with Dr Suleman for 7 October.

Thanks!

Emily

From: Emily Black
Sent: 28 September 2022 09:10:05
To: Alice Irving
Subject: RE: Bernard

Hi Alice,

Appreciate you're swamped this morning but would you have time to get back to me on the below this afternoon? I'm on annual leave after today not returning until 11 Oct, so hoping to get the updated question out to the expert today.

FYI have not heard back from our senior partner yet re the videos.

Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 22 September 2022 15:43
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

Hi Alice,

Videos still up despite my letter. One of the senior partners at the firm is having a look into this today so will let you know what she says.

Re the further question to the expert, thinking something as follows within the capacity question 3:

c. Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use and weigh the consequences of doing so i.e. posting content online can be viewed by anybody and not just those who he sends the link to (including strangers), that personal information about himself and others could be shared with strangers, and that other people in the content he is posting online may not consent to their image being posted online.

Frustratingly, Dr Suleman is no longer able to do a face-to-face appointment on 7 October. They offered Zoom, but I explained that Mr Bernard would benefit from in-person and that's one of the reasons we instructed Dr Suleman. They've offered face-to-face at 5:45pm on 10 October instead. Mr Bernard had previously not been keen for an evening appointment, but I'll run this one by him and see what he says. Difficult as he's already been expressing that he doesn't want to attend the appointment. He may actually be more likely to attend if it's on Zoom.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:35
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily

Thank you for this update.

I am going to have to talk to colleagues about what to do if the videos do not come down. Well done getting some progress.

Have a crack at adding a question on capacity to make decisions around the videos, and I will review.

Thanks for this… what a mess.

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 14:32
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: RE: Bernard

External

Hi Alice,

Thanks for this. I have spoken with Mr Bernard further, he agreed to make them private but not remove them. Some have gone but as you say, some are still there.

I'm just drafting a letter to him now about it. I will include as you say about it being potentially bad for his case, and ask him to remove them within 24 hours.

The assessment is due to take place on 7 October. I do have concerns about Mr Bernard attending as the more time that passes the more reluctant he is. He is regularly mentioning us having "ulterior motives" for wanting to get the assessment. I am going to send him a separate letter today to set out again why the assessment is important to his case.

Given it's not until the 7 October, I can send over the additional capacity question you mention.

Kind regards,

Emily

Emily Black
Solicitor
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From: Alice Irving <a.irving@doughtystreet.co.uk>
Sent: 16 September 2022 14:01
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

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Hi Emily,

My last check the videos are still up.

Have you had any further conversations or correspondence with Mr Bernard? I think if we can try to get him to cooperate to take them down that is best, on the basis that if he didn't post them, and we tell him it is bad for his case for his private conversations with his lawyers to be online and accessible, then he will hopefully agree to access his account and take them down.

If he will not agree to take them down, then I think we need to consider notifying YouTube to see if we can have them take the content down. I have not had a chance to check over what else is on the channel, but we need to see if there is anything else there that is potentially prejudicial to the case and to talk to Mr Bernard about not putting content online going forwards.

Hopefully we can do this cooperatively. If we are unable to get Mr Bernard to cooperate, we may need to consider a COP application – but that is last resort territory.

Can you let me know what has happened with the assessment? It might be worth adding in an additional question about capacity to make decisions around posting content online, if the report/observation is not already complete.

All best,
Alice

Alice Irving
Barrister
Message from DSC on 'Remote Working' Guidelines

doughty street chambers

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From: Alice Irving <a.irving@doughtystreet.co.uk>
Date: Friday, 16 September 2022 at 09:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Bernard

Hi Emily,

Goodness. This is a first. Well done for spotting it.

Where are we up to with the capacity assessment for the client?

All best,
Alice

From: Emily Black <Emily.Black@tvedwards.com>
Date: Friday, 16 September 2022 at 09:35
To: Alice Irving <a.irving@doughtystreet.co.uk>
Subject: Bernard

> External

Hi Alice,

Just to let you know that I have come across videos that Mr Bernard has posted on his YouTube channel of our meeting with him.

I have asked him to take them down. He denied taking them or posting them. I'll check in on the account in a couple hours and see if they are still there. If they are, I'll discuss with my supervisor.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Emily Black
Sent: 25 July 2022 15:21:35
To: Civil/Civ Libs And Housing Clerks
Subject: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

Dear Clerks,

We are representing the Defendant in these proceedings. We have a substantive public funding certificate in place.

There is currently an ASBI with power of arrest dated 18 May 2022 against Mr Bernard. A hearing has been listed for 11:30am on 24 August 2022 at Clerkenwell & Shoreditch. The hearing is to consider whether or not the injunction should remain in place and to reconsider the Claimant's application for an exclusion order.

Do you have anybody available to assist?

Thank you in advance.

Kind regards,

Emily

From: Emily Black
Sent: 25 July 2022 15:22:25
To: clerks@onepumpcourt.co.uk
Subject: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

Dear Clerks,

We are representing the Defendant in these proceedings. We have a substantive public funding certificate in place.

There is currently an ASBI with power of arrest dated 18 May 2022 against Mr Bernard. A hearing has been listed for 11:30am on 24 August 2022 at Clerkenwell & Shoreditch. The hearing is to consider whether or not the injunction should remain in place and to reconsider the Claimant's application for an exclusion order.

Do you have anybody available to assist?

Thank you in advance.

Kind regards,

Emily

From: Caroline Bird
Sent: 30 September 2022 11:48:13
To: Emily Black;'Justine Ghata-Aura'
Cc: 'Shyann Weekes'
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>

Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black
Sent: 25 July 2022 15:25:01
To: Emily Norman
Subject: LB Lambeth v Oliver Bernard - ASBI case, next hearing at 11:30am on 24 August

Dear Emily,

We are representing the Defendant in these proceedings. We have a substantive public funding certificate in place.

There is currently an ASBI with power of arrest dated 18 May 2022 against Mr Bernard. A hearing has been listed for 11:30am on 24 August 2022 at Clerkenwell & Shoreditch. The hearing is to consider whether or not the injunction should remain in place and to reconsider the Claimant's application for an exclusion order.

Do you have anybody available to assist?

Thank you in advance.

Kind regards,

Emily

From: Emily Black
Sent: 23 August 2022 14:33:52
To: enquiries.clerkenwellandshoreditch.countycourt@justice.gov.uk
Subject: LB Lambeth v Oliver Bernard - claim no.: J01EC769 - hearing tomorrow 24 August at 11:30am
Attachments: Notice of Acting.pdf, Notice of Issue of SPFC.pdf

Dear Sirs/Mesdames,

This firm acts for the Defendant in the above-named proceedings.

I write to attach the Notice of Acting and Notice of Issue of Substantive Public Funding Certificate for filing, in advance of the hearing listed tomorrow at 11:30am.

Thank you for your assistance.

Yours faithfully,

From: Emily Black
Sent: 01 September 2022 12:06:11
To: Felix@expertinmind.co.uk
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Large File Send
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You shared files with Felix@expertinmind.co.uk.

File(s):

7. D's recording of his discussion with police officers on 27 April 2022_1.mp4
LOI for Dr Suleman.pdf
Hearingbundlefor24822-V1.pdf.pdf
Medical records extracts for Dr Suleman.pdf
Medication prescription.jpg.jpg

Dear Felix,

Please find attached the LOI and enclosures attached.

Kind regards,

Emily

From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 30 August 2022 10:53
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email. This has been temporarily set aside.

Do let me know when you should be able to send across the LOI.

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

+44 (0) 1424 444 130

felix@expertinmind.co.uk

www.expertinmind.co.uk

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 16:14
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thanks very much. Please can we confirm the 7 October at Dr Suleman's consulting rooms?

I will send the letter of instruction as soon as possible.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 24 August 2022 14:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,

Thank you for your email.

I have checked with the secretary. She has advised that Dr Suleman has some options:

If he needs to travel, his first appointment is 28th October

If the client can come to his consulting rooms in Lewisham, he can see them during the daytime on 7th October, or potentially sooner if the client can attend in the evening (ordinarily 5.45pm).

Best wishes,

Felix Pratley-Crighton
Senior Administrator

Please Note:
I am unavailable from 12pm onwards. If you require an urgent response during that time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 24 August 2022 14:11
To: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Subject: RE: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

Dear Felix,

Thank you very much for this.

Please can we instruct Dr Suleman?

Please can you let me know his availability for a face-to-face assessment?

Thanks for your assistance.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Felix Pratley-Crighton <Felix@expertinmind.co.uk>
Sent: 23 August 2022 13:42
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Adult Psychiatrist Enquiry - Expert Details - [EID:16129]

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Dear Emily,
Thank you for your enquiry. Please see attached the CVs of Dr. Waquas Waheed, Dr. Jan Falkowski, Dr. Ajay Bhatnagar, Dr. Pavan Chahl, Dr. Sajid Suleman and Professor Chris Fox, Psychiatrists who should be suitable to assist. I detail below their current timescales, fees and locations:
Adherence to the following timescales is based on the prompt receipt of medical records.

Dr. Waquas Waheed is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Jan Falkowski is currently able to provide a report 4 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Ajay Bhatnagar is currently able to provide a report 8 weeks from the receipt of a letter of instruction. Please note that he only provides weekend appointments. He is currently seeing clients remotely only.

Dr. Pavan Chahl is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is currently seeing clients remotely only.

Dr. Sajid Suleman is currently able to provide a report 8 weeks from the receipt of a letter of instruction. He is based in Rotherhithe and sees clients at his consulting rooms in Lewisham. He is also happy to travel. He is currently seeing clients remotely and also face-to-face.

Professor Chris Fox is currently able to provide a report 8-10 (remote) and 10-12 (face to face) weeks from the receipt of a letter of instruction. He is based in Saxlingham and sees clients at his consulting rooms in London. He is currently seeing clients remotely and also face-to-face at his consulting rooms.

Timescales are valid at the time of sending, and are subject to change; we respectfully request you contact us for updated timescales, should your hearing not be imminent.

Fees for the above Experts are as per the LAA rate of £108 per hour plus VAT for interviews, reading and report preparation. Travel if required is charged at £40 per hour and 45 pence per mile plus VAT.

As a rough guide to hours, please see as follows:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note that we cannot accept instructions where a litigant in person is a fee-paying party.

I hope that this assists. Do let me know if further information is required in the meantime.

Kind regards,
Felix Pratley-Crighton
Senior Administrator

***Please Note**:*
I am unavailable from 12pm onwards. If you require an urgent response during this time, please call the office on 01424 444 130 or email office@expertinmind.co.uk

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black
Sent: 12 August 2022 09:49:44
To: i.trinder@doughtystreet.co.uk
Subject: RE: 24th August

Large File Send
Sent Files

Powered by

You shared files with i.trinder@doughtystreet.co.uk.

File(s):

7. D's recording of his discussion with police officers on 27 April 2022_1.mp4

Hi Isabel,

Here's one of the videos – please let me know if you're able to access it.

Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 12 August 2022 09:44
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

Hi Isabel,

Please find attached brief/instructions to counsel and enclosures, to include Mr Bernard's SPFC for Chambers' records.

There are two more enclosures that I am not able to attach here – two videos. I will work on how to get them over to you now.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 11 August 2022 08:37
To: Emily Black <Emily.Black@tvedwards.com>
Subject: RE: 24th August

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Hi Emily,

That's great, thank you for the update.

Kindest,

Isabel

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 10 August 2022 17:26
To: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Subject: RE: 24th August

> External

Hi Isabel,

Apologies for the delay, I'll work on these instructions tomorrow and have them to you by the end of the week.

Kind regards,

Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
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From: Isabel Trinder <i.trinder@doughtystreet.co.uk>
Sent: 10 August 2022 12:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: 24th August

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Hi Emily,

I hope you are well.

Please can I check when papers will be sent across for the hearing on the 24th of August in Alice Irving's diary?

Kindest,

Isabel

Isabel Trinder
Civil Clerking Team Junior

Message from DSC on 'Remote Working' Guidelines

E: i.trinder@doughtystreet.co.uk
T: 0207 404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

W: www.doughtystreet.co.uk

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From: Emily Black
Sent: 27 October 2022 15:27:57
To: Jillian Danielsen
Subject: RE: Invoice - Bernard (Work to Date)

Dear Jillian,

Thank you for the invoice.

Whilst we are content to pay the 2 hour cancellation fee, I note that the invoice also includes 7 hours reading time, which I think the Legal Aid Agency will raise issue with.

Please can you confirm whether Dr Suleman did read the papers and if so, why did he spend 7 hours doing so, particularly when I was advised that Dr Suleman would not even require the medical records until 7 days before the filing date of the report (not in advance of the appointment). I understand some prep work would be required prior to the appointment, but the initial quote included 7 hours of reading time total.

I look forward to hearing from you.

Kind regards,

Emily

From: Jillian Danielsen <Jillian@expertinmind.co.uk>
Sent: 26 October 2022 16:47
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Invoice - Bernard (Work to Date)
Importance: High

CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.

Afternoon Emily,

Please find attached the invoice in respect of work completed to date by Dr Suleman in this matter.

We look forward to receiving payment within agreed payment terms (60 days from invoice).

Kind Regards,

Jillian Danielsen
Accounts Assistant
Please be aware that as of the 21st March 2022 we are no longer able to accept cheques.
Important re Coronavirus (COVID-19)

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accordingly. Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

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Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black
Sent: 23 August 2022 14:27:18
To: Joe Young
Subject: RE: Case: THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH -V- OLIVER BERNARD | Our Ref: 200593 | Your Ref: KB

Dear Joe,

Thanks for this – I have now allocated on CCMS.

Kind regards,

Emily

From: Joe Young <j.young@doughtystreet.co.uk>
Sent: 22 August 2022 12:53
To: Katie Brown <Katie.Brown@tvedwards.com>
Subject: Re: Case: THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH -V- OLIVER BERNARD | Our Ref: 200593 | Your Ref: KB

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Dear Katie,

Please find attached a copy of our fee note in respect of the above case.

If this is a CCMS matter, please ensure that counsel has been allocated and the costs limitation increased in line with the attached. When doing so, please consider any payment on accounts that have been made, and ensure the total net fees are allocated. Details on how to allocate can be found here http://ccmstraining.justice.gov.uk/__data/assets/pdf_file/0007/7774/-CCMS_Provider__Assigning_Counsel_7774_v3.1.pdf

If you have any queries, please do not hesitate to contact me.

Kind regards,

Joe Young

Joe Young
Junior Civil Billing Clerk
Message from DSC on 'Remote Working' Guidelines

E: j.young@doughtystreet.co.uk
T: 0207 404 1313

London Office:
53-54 Doughty Street
London WC1N 2LS

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From: Emily Black
Sent: 28 September 2022 22:22:25
To: Justine Ghata-Aura
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard
Attachments: Updated LOI with further capacity question.pdf, capacity-to-conduct-proceedings-certificate.pdf

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

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FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Caroline Bird
Sent: 30 September 2022 16:07:10
To: Justine Ghata-Aura;Emily Black
Cc: Shyann Weekes
Subject: RE: Matter 16129: Oliver Bernard

Many thanks Justine.

I will pass this information onto Mr Bernard and confirm his attendance as soon as possible.

Kind regards,
Caroline Bird

Caroline Bird

Paralegal - MCILEx

t: 0203 440 8325 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 14:29
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Please find attached a copy of Dr Suleman's CV.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 11:48
To: Emily Black <Emily.Black@tvedwards.com>; Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
t: 0203 440 8325 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>

Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 +44 (0) 1424 234 625
justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black
Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.

We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

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From: Caroline Bird
Sent: 30 September 2022 17:03:42
To: Justine Ghata-Aura;Emily Black
Cc: Shyann Weekes;Katie Brown
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

We have not yet received the additional medical documents referred to in my colleague, Emily Blacks, email of 28 September 2022 and will pass them on once received.

Thank you,
Caroline Bird

Caroline Bird

Paralegal - MCILEx

t: 0203 440 8325 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 16:44
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Thank you, I will await to hear back form you regarding his attendance and additional medical documents.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 16:07
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>; Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Many thanks Justine.

I will pass this information onto Mr Bernard and confirm his attendance as soon as possible.

Kind regards,
Caroline Bird

Caroline Bird

Paralegal - MCILEx

t: 0203 440 8325 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 30 September 2022 14:29
To: Caroline Bird <Caroline.Bird@tvedwards.com>; Emily Black <Emily.Black@tvedwards.com>

Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Caroline,

Please find attached a copy of Dr Suleman's CV.

Many thanks,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
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From: Caroline Bird <Caroline.Bird@tvedwards.com>
Sent: 30 September 2022 11:48
To: Emily Black <Emily.Black@tvedwards.com>; Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Before I am able to confirm Mr Bernard's attendance, he has asked if Dr Suleman would allow his sister to be in the appointment with him. Could you please let me know and I will pass that on to Mr Bernard.

Are you also able to send me Dr Suleman's CV to pass on to Mr Bernard?

Thank you in advance,
Caroline Bird

Caroline Bird
Paralegal - MCILEx
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From: Emily Black
Sent: 28 September 2022 22:22
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find updated LOI attached to include the further question. I've also attached a Certificate as to Capacity to conduct proceedings which I previously forgot to send.

I have not received confirmation from Mr Bernard yet am on annual leave now, but have asked my colleague to chase and update you.

Kind regards,

Emily

From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 28 September 2022 16:39
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email and additional medical documents.

That is fine, Would it be possible for another Letter of instruction to be sent over including these questions please?

Also, I'd be grateful for an update on the appointment confirmation for your client.

I look forward to hearing from you.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 28 September 2022 16:21
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Please find attached relevant extracts from Mr Bernard's records held by the NHS Trust. There is a section missing from the documents the Trust sent to us which I have requested, so there may be a few more pages to come. Dr Suleman will note that some of these extracts date back to the early 2000's but this was a period when Mr Bernard's symptoms appeared to be bad, so I thought they provided useful context.

Please can the below further question be added to the questions we have asked Dr Suleman to consider, specifically under question 3?

Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

- *Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.*
- *Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.*
- *Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.*
- *Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.*
- *Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.*
- *Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.*

Thanks for your assistance.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 23 September 2022 16:48
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for your email.

That's no problem, I will await to hear back from you regarding the definite appointment confirmation and the mental health records.

Kind regards,
Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 23 September 2022 16:16
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Can we pencil this appointment in please – I will confirm for definite as soon as possible.

Kind regards,

Emilt

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 21 September 2022 16:58
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thanks for your email.

I have checked with Dr Suleman and we are able to offer a face to face appointment at Regus on 10th October 2022, 5:45 PM- 7:45 PM.

Please let me know if this is suitable for your client.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130 FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 17:32
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks for this.

Rather then the preference of the client it is what we think would make the assessment most effective.

Please let me know Dr Suleman's availability and I will seek instructions from my client as to what times he can make. By way of reminder, we need to file the report with the Court before 26 October 2022.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 16:49
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

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Dear Emily,

Thank you for getting back to me.

Unfortunately Dr Suleman isn't available for face to face appointments now on 7th October.

I understand that your client would prefer a face to face appointment, So I will try my very best to accommodate this and will check alternative dates/times with Dr Suleman.

Would it be possible for your client be able to make a 5:45 PM- 7:45 PM face to face appointment as Regus?

I look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130
FAX +44 (0) 1424 234 625
justine@expertinmind.co.uk
www.expertinmind.co.uk
www.linkedin.com/company/expert-in-mind-limited
Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

Important re Coronavirus (COVID-19)
We have no doubt that you, as indeed is Expert in Mind, are closely monitoring the advice and guidance from Public Health England regarding the Coronavirus outbreak and will of course act accordingly.

Our Experts are following all guidelines and should an Expert feel they are displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, we have asked that they notify us so that appointments can be cancelled/rearranged accordingly.
We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.
Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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Please note that any documents received in hard copy will be scanned and stored securely in our system while the hard copies are securely destroyed.

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 20 September 2022 16:26
To: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: RE: Matter 16129: Oliver Bernard

Dear Justine,

Thanks, hope you're well too.

Mr Bernard would really benefit from an in-person appointment and this is one of the reasons we chose to instruct Dr Suleman specifically, as he was offering in-person appointments.

Is it unavoidable to change this to a remote appointment? If so, I will have to have a think about it.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300 700 Tower Hamlets

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From: Justine Ghata-Aura <Justine@expertinmind.co.uk>
Sent: 20 September 2022 14:34
To: Emily Black <Emily.Black@tvedwards.com>
Cc: Shyann Weekes <Shyann@expertinmind.co.uk>
Subject: Matter 16129: Oliver Bernard

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Dear Emily,

Hope you are all well.

Would it be possible to change the appointment on Friday 7th October with Dr Suleman to a remote, Zoom appointment please?

Look forward to hearing form you.

Kind regards,

Justine Ghata-Aura
Trainee Case Manager

+44 (0) 1424 444 130

FAX +44 (0) 1424 234 625

justine@expertinmind.co.uk

www.expertinmind.co.uk

www.linkedin.com/company/expert-in-mind-limited

Unit G03, High Weald House, Glovers End, Bexhill, East Sussex, TN39 5ES

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We would be grateful if you would ensure that your clients exercise the same caution and enable you to notify us should they be displaying symptoms of the Coronavirus, have been in contact with anyone with a confirmed case of Coronavirus or have returned from an at risk country, so that assessments can be cancelled/rearranged accordingly.

Further information can be found at https://www.nhs.uk/conditions/coronavirus-covid-19/

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From: Emily Black
Sent: 23 August 2022 08:46:14
To: office@expertinmind.co.uk
Subject: Enquiry - expert report for housing case

Dear Expert in Mind,

We act for the Defendant in injunction proceedings brought against him by his landlord. We are seeking directions from the court to file and serve an expert psychiatrist report to cover matters such as his litigation capacity, capacity to comply with the injunction, whether he is disabled under the Equality Act, and whether that disability is linked to the behaviour he is alleged to be engaging in.

Please can you let me know the timescales for anybody who may be able to carry out this assessment please?

Please note that our client is publicly funded.

I would be very grateful for a response today as the hearing is tomorrow.

Thank you in advance for your assistance.

Kind regards,

Emily

From: Emily Black
Sent: 01 August 2022 12:20:13
To: Oliver Bernard
Subject: Your housing case (BER374/1)

Dear Oliver,

Thank you for sending various documents over the weekend.

Please can you let me know the following:

- The prescription says the next review date is 1 August 2022. Do you know if that review is happening? If so, who is carrying out the review?
- Are you currently taking all of the medications that are listed on your prescription?
- Were you able to get hold of your phone records to show your call to the police on 27 April?
- Were you able to confirm what date it was that you got rid of your speakers?
- Have you followed up on the appointment offered by Olivia Laidlaw?

Kind regards,

Emily

From: Emily Black
Sent: 02 September 2022 16:30:07
To: Oliver Bernard
Subject: Your housing injunction case (BER374/1)
Attachments: SW01 Client Care Letter.pdf

Dear Mr Bernard,

I write regarding your housing injunction case to let you know that I have now qualified as a solicitor so I have taken over conduct of your case.

Kind regards,

Emily

From: Emily Black
Sent: 04 August 2022 09:36:09
To: Oliver Bernard
Subject: RE: confirmation of appointment

Dear Oliver,

Yes, provisionally let's pencil in an appointment for the afternoon of 9 August at our offices at 35-37 Mile End Road, London E1 4TP.

My supervisor (your solicitor) will also be in attendance and she is on annual leave until Monday. As such, I will wait to confirm the appointment until she returns from leave.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 04 August 2022 07:38
To: Emily Black <Emily.Black@tvedwards.com>
Subject: confirmation of appointment

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i would just like to confirm our appointment will on 9th August 2022

From: Emily Black
Sent: 05 July 2022 10:55:40
To: Oliver Bernard
Subject: Your housing case

Dear Oliver,

It was nice to meet you yesterday.

I have not received any bank statements from you.

As advised, I need statements for all five of your accounts from 4 April 2022 to 4 July 2022.

If I do not receive these then I will not be able to assist you.

Kind regards,

Emily

From: Emily Black
Sent: 05 July 2022 10:55:40
To: Oliver Bernard
Subject: Your housing case

Dear Oliver,

It was nice to meet you yesterday.

I have not received any bank statements from you.

As advised, I need statements for all five of your accounts from 4 April 2022 to 4 July 2022.

If I do not receive these then I will not be able to assist you.

Kind regards,

Emily

From: Emily Black
Sent: 05 July 2022 12:39:39
To: Oliver Bernard
Subject: RE: Your housing case

Dear Oliver,

Unfortunately as explained I will not be able to assist you without up to date bank statements for each account.

I understand that you have online banking. You can log on and download statements up to date. Alternatively you can screenshot the payments for the last couple of weeks.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 05 July 2022 12:26
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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this is all i can send you for now

On Tue, Jul 5, 2022 at 12:21 PM Oliver Bernard <oliverbernard521@gmail.com> wrote:

> the date for 4th july will not be able to printed as nothing was spent on those days
>
> On Tue, Jul 5, 2022 at 10:55 AM Emily Black <Emily.Black@tvedwards.com> wrote:
>
> > Dear Oliver,
> >
> > It was nice to meet you yesterday.
> >
> > I have not received any bank statements from you.
> >
> > As advised, I need statements for all five of your accounts from 4 April 2022 to 4 July 2022.
> >
> > If I do not receive these then I will not be able to assist you.
> >
> > Kind regards,
> >
> > Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Emily Black
Sent: 05 August 2022 10:00:52
To: Oliver Bernard
Subject: RE: This from my last address

Dear Oliver,

Please note there was nothing attached to your below email. Please re-send if it's something you would like me to consider.

Kind regards,

Emily

-----Original Message-----
From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 04 August 2022 22:39
To: Emily Black <Emily.Black@tvedwards.com>
Subject: This from my last address

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As you can see even though the paperwork says the last address was problematic as you can see it was

From: Emily Black
Sent: 06 July 2022 12:54:49
To: Oliver Bernard
Subject: FW: Your housing case
Attachments: Metro bank 06072022.jpg

Hi Oliver,

Thanks for all the screenshots. On the Metrobank one attached, are you able to click on the "transactions" tab along the top under your name and send a screenshot of that page?

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 06 July 2022 12:08
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Automatic reply: Your housing case

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This has no June statements. I don,t know why but will be ask if they still have problems with their system

On Wed, Jul 6, 2022 at 11:46 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:

> this is all i can access
>
> On Wed, Jul 6, 2022 at 11:37 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
>
> > There are more to come From Metro Bank
> >
> > On Wed, Jul 6, 2022 at 10:56 AM Oliver Bernard <oliverbernard521@gmail.com> wrote:
> >
> > > A you will see if nothing has been spent on any day it will not be recorded in the statements
> > >
> > > On Tue, Jul 5, 2022 at 12:22 PM Emily Black <Emily.Black@tvedwards.com> wrote:
> > >
> > > > CAUTION: This email originated from outside of the organisation. Do **NOT** click links or open attachments unless you recognise the sender and know the content is safe.
> > > >
> > > > I am out of the office on Tuesday 5 July, returning on Wednesday 6 July. My emails will not be checked in my absence.
> > > >
> > > > If your message is urgent and cannot wait for my return, please contact Simon Fielding on 0203 440 8043 or Simon.Fielding@tvedwards.com.

Kind regards,

Emily Black

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Emily Black
Sent: 07 September 2022 14:49:34
To: Oliver Bernard
Subject: Your housing case

Dear Oliver,

Please see below link to a OneDrive folder where you can upload files, including CCTV, for me to look at:

Oliver Bernard

Let me know if there are any issues with the link.

Kind regards,

Emily

From: Emily Black
Sent: 07 September 2022 16:07:54
To: Oliver Bernard
Subject: RE: Criminal Matter

Dear Oliver,

I'm not sure which papers you are referring to. Please specify.

Kind regards,

Emily

Emily Black

Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 07 September 2022 16:04
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Criminal Matter

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Please could you send the papers that you said were of criminal matters to Tosswil & Co solicitors

Phone number 02086749494 who look at them for me. Please retain a copy as part of case work file and I will use the link as you asked. I hope it works.

From: Emily Black
Sent: 12 July 2022 13:36:25
To: Oliver Bernard
Subject: Your housing case

Dear Oliver,

Thank you for your recent emails.

You mentioned that both Miriam and Zoe assessed you and concluded that you do not have any health issues requiring support at present. Please can you send me details of these assessments?

I will shortly be sending to you our client care letters and our advice. We previously discussed having a Teams meeting this week to take your instructions. I consider that it would be better to wait until I have received all the papers, from both your landlord and medical professionals, and then for us to have a meeting in the office to go through everything once you are back from your holiday.

Will you be available to come to our office on Mile End Road on the afternoon of 9 August?

Kind regards,

Emily

From: Emily Black
Sent: 12 October 2022 11:22:00
To: Oliver Bernard
Subject: Your housing injunction case - end of retainer (BER374/1)
Attachments: Letter to Mr O Bernard - end of retainer.pdf, N434 Notice of change of solicitor.pdf

Dear Mr Bernard,

Please note that I returned your call this morning but I was unable to get through, so I left you a message.

Please find attached a letter for your attention regarding the end of the retainer between you and this firm. I have also enclosed a change of legal representative form for you to sign and return to me if you agree that this firm should stop acting for you.

Kind regards,

Emily Black

From: Emily Black
Sent: 15 August 2022 09:51:07
To: Oliver Bernard
Subject: Your case (BER374/1)
Attachments: NCAF new client advice form.pdf

Dear Mr Bernard,

Please find attached our advice letter which I sent to you on 14 July.

I have taken further instructions from you since this letter was drafted, and therefore some of the information in it has changed (i.e. you have confirmed that you are still taking medication) – but the section about the legal position remains the same.

Kind regards,

Emily

From: Emily Black
Sent: 16 September 2022 14:41:51
To: Oliver Bernard
Subject: Your case - videos on your YouTube channel
Attachments: Letter to Mr O Bernard.pdf

Dear Mr Bernard,

Please find the attached letter for your urgent attention.

Kind regards,

Emily

From: Emily Black
Sent: 16 September 2022 15:09:35
To: Oliver Bernard
Subject: Your case - psychiatric assessment
Attachments: Letter to Mr O Bernard.pdf

Dear Mr Bernard,

Please find attached another letter for your attention. This letter is regarding the assessment and why we think it's necessary in your case.

It also includes the date, time and location of the assessment.

Kind regards,

Emily

From: Emily Black
Sent: 16 November 2022 13:38:02
To: Oliver Bernard
Subject: Your housing cases

Dear Mr Bernard,

I have received your emails today but as you know, this firm is no longer acting for you.

Kind regards,

Emily

From: Emily Black
Sent: 19 August 2022 14:07:16
To: Oliver Bernard
Subject: Your case

Hi Oliver,

I'm writing to confirm our meeting **at 4pm on Monday 22 August** at our offices at 18 St John's Rd, London SW11 1PN.

It's very important that this meeting takes places before the hearing on Wednesday. Your barrister will also be travelling to our office, so please let me know as soon as possible if you cannot attend.

Kind regards,

Emily

From: Emily Black
Sent: 21 July 2022 08:36:37
To: Oliver Bernard
Subject: FW: Your housing case
Attachments: sar-consent.docx

Dear Mr Bernard,

Thank you for the documents you have sent to me.

As discussed, I also need you to send a copy of your ID and sign and date the attached form as a matter of urgency so that we can get a copy of your medical records.

Kind regards,

Emily

From: Emily Black <Emily.Black@tvedwards.com>
Sent: 15 July 2022 15:24
To: Oliver Bernard <oliverbernard521@gmail.com>
Subject: RE: Your housing case

Dear Mr Bernard,

As you are not currently registered with a GP, we must request your medical records from Primary Care Support England instead. This is a bit more tricky than the usual process and they require the following:

- Photo ID such as passport or driving licence; and
- The completed attached consent form.

Are you able to sign and date the attached (three times where the form requests) and send me a picture of your ID please?

I understand that you are away at the moment but we need to get this request in as soon as possible with the aim of getting your records well in advance of the hearing.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

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From: Emily Black
Sent: 14 July 2022 14:32
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Your housing case

Dear Mr Bernard,

Please find attached our client care letters and our initial advice letter for your attention.

We can discuss these letters over the phone once you have had chance to read them.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 23:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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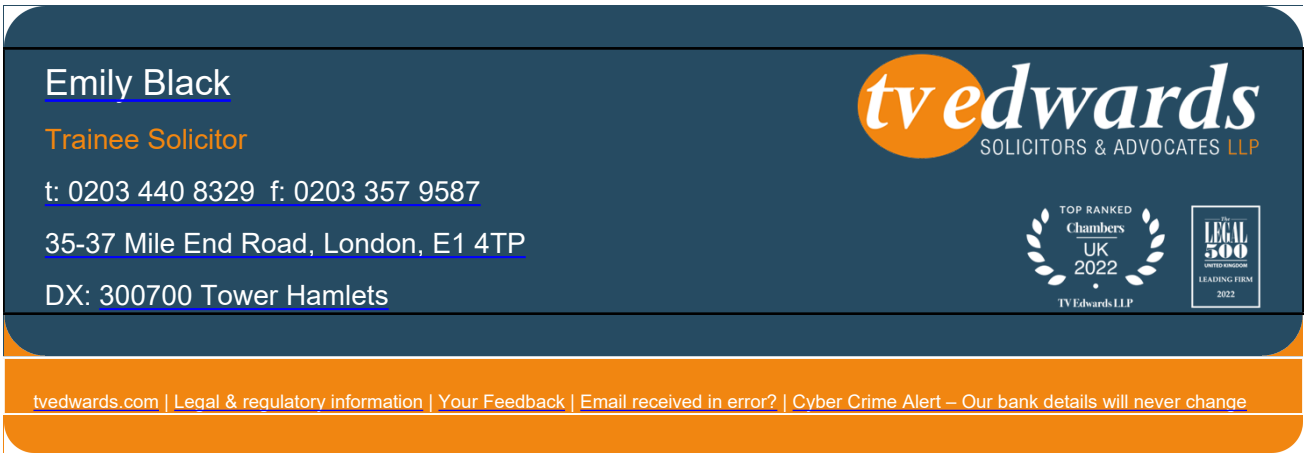
yes i will

On Tue, Jul 12, 2022 at 1:42 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,

Ok – how do you know the outcome of the assessments?
Please read the rest of my below email too - will you be available to come to our office on Mile End Road on the afternoon of 9 August?
Kind regards,
Emily


Emily Black
Trainee Solicitor
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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 13:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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No all that i got was in the Email

On Tue, Jul 12, 2022 at 1:36 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for your recent emails.

You mentioned that both Miriam and Zoe assessed you and concluded that you do not have any health issues requiring support at present. Please can you send me details of these assessments?

I will shortly be sending to you our client care letters and our advice. We previously discussed having a Teams meeting this week to take your instructions. I consider that it would be better to wait until I have received all the papers, from both your landlord and medical professionals, and then for us to have a meeting in the office to go through everything once you are back from your holiday.

Will you be available to come to our office on Mile End Road on the afternoon of 9 August?

Kind regards,

Emily

Emily Black

Trainee Solicitor

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From: Emily Black
Sent: 22 July 2022 11:11:35
To: Oliver Bernard
Subject: RE: Care Act Assessment

Hi Mr Bernard,

Do you have the password for these documents please?

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 21 July 2022 22:49
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Fwd: Care Act Assessment

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---------- Forwarded message ---------
From: **Miriam Hargreaves** <MHargreaves@lambeth.gov.uk>
Date: Thu, Jul 14, 2022 at 9:29 AM
Subject: Care Act Assessment
To: Oliver Bernard <oliverbernard521@gmail.com>

Hi Oliver,

Hope this finds you well. Please see attached a copy of my assessment, apologies for the delay getting this to you. I have password protected the document, so will send the password in a separate email. If you have any issues opening it please do let me know.

Let me know if you would like me to post a hard copy and can also do this

As you have no identified care needs, I will be looking to close your case to social care as there is no ongoing role for us. Main area of need is your housing / injunction and I hope you have been able to secure legal representation who will be best placed to assist you with this. I am glad to see the hearing has been adjourned to allow you time to secure this. You have also been allocated a new care co-ordinator in the mental health team, if you feel you need support with this.

Should your needs change in future, you can always contact adult social care on 02079265555.

Wishing you all the best,

Kind Regards,

Miriam

Miriam Hargreaves
Pronounced Mi-re-am Har-greeves
Pronouns: Her/She

Social Worker
Adult Mental Health Service
Adults and Public Health Directorate
London Borough of Lambeth
2-8 Gracefield Gardens
SW16 2ST
Tel: 0207 926 9550

Disclaimers apply - full details at www.lambeth.gov.uk/email-disclaimer

From: Emily Black
Sent: 23 August 2022 08:53:30
To: Oliver Bernard
Subject: Your housing case

Dear Mr Bernard,

Thank you for coming into the office and meeting with me and your barrister yesterday.

After discussion with your barrister, we think that the appropriate way forward is to ask the court for "directions" (i.e. next steps) in the case to allow us to get an expert report from an independent psychiatrist.

As Alice said to you yesterday, this report will cover things such as whether or not the doctor thinks you are disabled under the definition in the Equality Act, whether that disability has an impact on your behaviour, whether you have capacity to instruct us, etc.

We will draft the letter of instruction to the expert and we can add things in as discussed such as the impact that living at 27 The Drive had on you.

The report will then likely be disclosed to the court.

Before the hearing tomorrow, we will need to let your landlord's solicitors know that we will be asking for this expert report and that we need extra time for that. Are you happy for me to let them know this?

Please feel free to call me on 0203 440 8392 to discuss.

Kind regards,

Emily

From: Emily Black
Sent: 24 August 2022 16:15:01
To: Oliver Bernard
Subject: Your Housing Case

Dear Oliver,

As confirmed on the phone, I have arranged an appointment for you with an independent psychiatrist on 7 October 2022.

I will let you know more details closer to the time.

Kind regards,

Emily

From: Emily Black
Sent: 26 July 2022 09:27:44
To: Oliver Bernard
Subject: RE: FW: Your housing case
Attachments: sar-consent.docx

Hi Oliver,

Please sign and date the document 3 times where it says “signature” and please send back to me the full page rather than part of the page. I will need to send the full document in order to get hold of your medical records.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 25 July 2022 20:19
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: FW: Your housing case

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sorry to being late

On Thu, Jul 21, 2022 at 8:36 AM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Mr Bernard,
>
> Thank you for the documents you have sent to me.
>
> As discussed, I also need you to send a copy of your ID and sign and date the attached form as a matter of urgency so that we can get a copy of your medical records.
>
> Kind regards,
>
> Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
DX: 300700 Tower Hamlets

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From: Emily Black <Emily.Black@tvedwards.com>
Sent: 15 July 2022 15:24

To: Oliver Bernard <oliverbernard521@gmail.com>
Subject: RE: Your housing case

Dear Mr Bernard,

As you are not currently registered with a GP, we must request your medical records from Primary Care Support England instead. This is a bit more tricky than the usual process and they require the following:

- Photo ID such as passport or driving licence; and
- The completed attached consent form.

Are you able to sign and date the attached (three times where the form requests) and send me a picture of your ID please?

I understand that you are away at the moment but we need to get this request in as soon as possible with the aim of getting your records well in advance of the hearing.

Kind regards,

Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Emily Black
Sent: 14 July 2022 14:32
To: 'Oliver Bernard' <oliverbernard521@gmail.com>
Subject: RE: Your housing case

Dear Mr Bernard,

Please find attached our client care letters and our initial advice letter for your attention.

We can discuss these letters over the phone once you have had chance to read them.

Kind regards,

Emily

From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 23:48
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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yes i will

On Tue, Jul 12, 2022 at 1:42 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Ok – how do you know the outcome of the assessments?
> Please read the rest of my below email too - will you be available to come to our office on Mile End Road on the afternoon of 9 August?
> Kind regards,
> Emily

Emily Black
Trainee Solicitor
t: 0203 440 8329 f: 0203 357 9587
35-37 Mile End Road, London, E1 4TP
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From: Oliver Bernard <oliverbernard521@gmail.com>
Sent: 12 July 2022 13:40
To: Emily Black <Emily.Black@tvedwards.com>
Subject: Re: Your housing case

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No all that i got was in the Email

On Tue, Jul 12, 2022 at 1:36 PM Emily Black <Emily.Black@tvedwards.com> wrote:

> Dear Oliver,
>
> Thank you for your recent emails.
>
> You mentioned that both Miriam and Zoe assessed you and concluded that you do not have any health issues requiring support at present. Please can you send me details of these assessments?
>
> I will shortly be sending to you our client care letters and our advice. We previously discussed having a Teams meeting this week to take your instructions. I consider that it would be better to wait until I have received all the papers, from both your landlord and medical professionals, and then for us to have a meeting in the office to go through everything once you are back from your holiday.
>
> Will you be available to come to our office on Mile End Road on the afternoon of 9 August?
>
> Kind regards,
>
> Emily

Emily Black

Trainee Solicitor

t: 0203 440 8329 f: 0203 357 9587

35-37 Mile End Road, London, E1 4TP

DX: 300700 Tower Hamlets

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From: Emily Black
Sent: 26 September 2022 16:43:27
To: Oliver Bernard
Subject: Change of date for appointment with Dr Suleman - 10 October 2022

Dear Mr Bernard,

Unfortunately Dr Suleman has had to change the date of your appointment.

The appointment is now as follows:

Date: Friday 10th of October 2022
Time: 5:45 PM- 7:45 PM
Venue: Regus, Romer House, 132 Lewisham, High Street, SE13 6EE

Please confirm that you can make this appointment.

Kind regards,

Emily

From: Emily Black
Sent: 27 July 2022 16:47:59
To: Oliver Bernard
Subject: Your housing case - meeting tomorrow at 10:30am on Microsoft Teams

Dear Oliver,

I have sent you an invite to our Teams meeting tomorrow.

In case you haven't got the invite, here is the link:

Microsoft Teams meeting

Join on your computer or mobile app
Click here to join the meeting
Meeting ID: 341 114 213 651
Passcode: PZCmyT
Download Teams | Join on the web
Learn more | Meeting options

Do let me know if you cannot attend.

Kind regards,

Emily

FORM OF AUTHORITY

To : SLaM NHS Trust

My Solicitors are TV Edwards LLP, of 35-37 Mile End Road, London E1 4TP.

☐ **General** I hereby authorise you to deal directly with my above mentioned Solicitors, and to provide requested details/copies from my records.

☐ **Medical** I hereby authorise you to disclose details from my medical records to my above-mentioned Solicitors and, if so requested, to prepare a medical report.

☐ **Solicitors** I hereby authorise you to release my file of papers to my above-mentioned new Solicitors.

This authority covers myself and my children

Signed :.....

Oliver Bernard

Dated: 04 July 2022

Address: 33 Carfax Place, London SW4 7BQ

Date of Birth: 04 October 1965

Ref: KBN/BER374/1

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PASSPORT
PASSEPORT

Type/Type: P
Code/Code: GBR
Passport No./Passeport No.: 125258600

Surname/Nom (1)
BERNARD

Given names/Prénoms (2)
OLIVER GEORGE

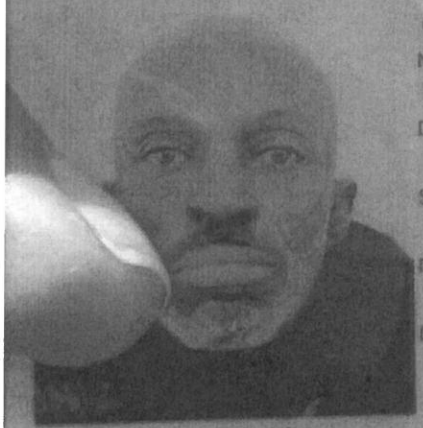
Nationality/Nationalité (3)
BRITISH CITIZEN

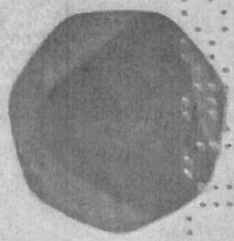
Date of birth/Date de naissance (4)
12 OCT /OCT 65

Sex/Sexe (5): M
Place of birth/Lieu de naissance (6): DULWICH

Date of issue/Date de délivrance (7): 23 MAR /MARS 21
Authority/Autorité (8): HMPO

Date of expiry/Date d'expiration (9)
23 MAR /MARS 31





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1252586007GBR6510123M3103234<<<<<<<<<<<<<<00

South London and Maudsley NHS
NHS Foundation Trust

APPLICATION FOR ACCESS TO HEALTH RECORDS
(SUBJECT ACCESS REQUEST - APPLICATION FORM)

The Access to Health Records Act 1990 (deceased patients ONLY) and the Data Protection Act (2018) give patients or their representatives a right of access, subject to certain exemptions, to their records. South London and Maudsley NHS Foundation Trust respects the rights of individuals to have as much information as possible about their diagnosis and treatment.

Section 1- Details of the patient or applicant	
Full name of patient: (Mr/Mrs/Miss/Ms/Dr etc.) Mr Oliver Bernard	
Any former names:	
Sex Male	Date of Birth: 12/10/1965
Current Address: 33 Carfax Place, London SW4 7BQ	
Email address: oliverbernard521@gmail.com	
Telephone Number: 07908 404 232	NHS Number(if known):
Details of applicant (if different from above)	
Full name of applicant: Emily Black	
Relationship to patient Lawyer	
Address: 35-37 Mile End Road, London E1 4TP	
Telephone Number: 0203 440 8329	Email address emily.black@tvedwards.com

Section 2 - Details of records to be accessed (please tick the relevant box)

☐ I would like to view all my clinical records with a health professional
(only applicable to current patients)

☐ I would like copies of my clinical records dated from……to……supplied to me via email/post.

☐ I would like copies of all my clinical records supplied to me via email/post.

■ I would like copies of all the patient's records supplied to me via email/post.

☐ Other – please indicate:

Section 3 – Declaration (N.B. This section must be signed in the presence of the person who witnesses your application)

☐ I am the patient

☐ I have been asked to act by the patient and attach the patient's written authorisation.

☐ I have power of attorney/deputyship for the patient (please provide evidence to support your claim)

☐ I have parental responsibility/legal guardianship for the patient who is under age 16 and [is incapable of understanding the request][has consented to me making this request] (delete appropriately) (please provide evidence to support your claim)

☐ I have been appointed the Guardian for the patient, who is over age 16 under a Guardianship order (please provide evidence to support your claim).

☐ I am the deceased patient's personal representative and attach confirmation of my appointment.

☐ It is a possible litigation case.

☐ I have a claim arising from the patient's death and wish to access information relevant to my claim (please provide evidence to support your claim)

To provide you with a copy of your health record the costs are: Free of charge

Please note that we may charge a fee for the administrative cost of providing further copies of records and copies of scans.

Declaration:

I declare that information given by me is correct to the best of my knowledge and that I am entitled to apply for access to the health record referred to above, under the terms of the Data Protection Act 2018 /Access to Health Records Act (1990) (deceased patients only)

Signed: ..... Date: 27/1/22

Please Note:

- **You need to provide with this form photocopies of evidence of identity (e.g. Passport\Driving Licence and other acceptable forms of identity i.e. Freedom pass, work ID with photo etc.**
- **If you are the applicant (not patient), you need to provide evidence to support your claim.**
- **You also need to provide proof of residence in the form of recent utility bills (i.e. gas, electricity, water, telephone but not mobile phones).**
- **If there is any doubt about the applicant's identity or entitlement, information may not be released. You will be informed if this is the case.**

From: Max Gordon
Sent: 18 May 2022 15:21:24
To: Nina Franklin
Subject: FW: J01EC769 : London Borough of Lambeth v Oliver Bernard - NEW EX-PARTE INJUNCTION REQUEST
Attachments: Amended Injunctionorder LB Lambeth v Bernard 18.5.22.doc

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Dear Nina,

Thank you for your instruction. I met with Janet before the hearing which was heard ex parte today at Clerkenwell & Shoreditch CC at 1400 before DJ Naidoo.

DJ Naidoo was concerned to make an ex parte order of exclusion but made the order on the other paragraphs with some amendments to the wording and costs in the case. Please see attached.

As you will see, Janet also gave live evidence sworn in to update the position and provide more information on the mental health referral and the information of D being under review by JIGSAW. Also, the point that it is hoped D will be able to move to the alternative accommodation offered.

Kind Regards,

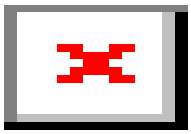
Max

Max Gordon

42 Bedford Row,
London,
WC1R 4LL
DX: 201 London

020 7831 0222

www.42br.com



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02 September 2022

EXPERT IN MIND LIMITED - EXPERT WITNESS FEES
TERMS AND CONDITIONS

Expert in Mind Limited's Panel of Expert Witnesses current terms of agreement for the case of: Oliver Bernard

1. **Dr. Sajid Suleman's** fees for all reports, further questions, addendum reports, joint statements, conference and any other qualifying work in this matter instructed by the party/ies detailed below will be based on £108 per hour plus VAT.

2. Attendance at Court as a Professional/Expert Witness will be charged at £108 per hour plus VAT plus travel. Payment is due even if oral evidence was not given by the Expert. Should the Court be funding an Expert's fees for their attendance, please provide us with advanced notice of this and confirm the contact details for the Court so that we may agree terms with them directly.

3. Travelling time will be charged at £40 per hour plus VAT in addition to travelling costs and subsistence where relevant. Mileage will be charged at £0.45 per mile plus VAT.

4. It is the responsibility of the instructing party or parties to keep Expert in Mind informed as to progress in this case, in particular concerning any matters which may affect the scheduling of work, meetings, Court attendances and conferences. Failure to do so will result in cancellation fees as per the Legal Aid Agency guidelines as follow:
   If a scheduled Court appearance, experts' meeting, conference or client or other appointment arranged on instructions by the instructing party is cancelled or rescheduled at less than 72 hours notice, Expert in Mind will levy a cancellation fee of up to 100% of the time set aside for the cancelled event depending on whether other work can be scheduled in. No fee will be payable for cancellation made more than 72 hours in advance.

5. In the event of instructions being undertaken on a public funded matter, the instructing party is required to ensure, where possible, that prior authority to incur fees is sought.

6. All accounts to be settled within one calendar month of date of invoice unless prior arrangements have been agreed in writing. An additional month settlement period will be offered for cases publicly funded by the Legal Aid Agency. Should the account not be settled within the agreed period, then Expert in Mind will have the right, provided it cannot be shown that the commissioning party has caused any delay in the submission of their claim for payment at its discretion, to charge interest on unpaid accounts at the rate of 5% per month or part of a month (not compounded), until full settlement is received.

7. The exception to the above is where at any point a litigant in person (or individual) is responsible for financing any part of the Expert's fee, unless via their legal representative. Although it is company policy not to accept instructions where this is the case, exceptional circumstances may mean that an instruction is accepted. Payment for any piece of work must be received from said paying party prior to the commencement of any work. This includes all work related to the instruction from the commencement to the conclusion of the case. This also applies to any persons who become a litigant in person, or private individual responsible for financing a share of the Expert's fee, at any point during the life of the case.

8. If, in a publicly funded matter, there is on assessment a reduction in the amount of the Expert's fees claimed, the instructing party must give written notice of any such reduction to Expert in Mind within three days of receiving notice from the Legal Aid Agency or Court and if requested to do so by Expert in Mind (and at no costs to Expert in Mind) shall appeal any such reduction within seven days of being instructed by Expert in Mind to do so. Expert in Mind will provide the text of the appeal and/or the supporting documentation.

9. Further, if on an assessment in a publicly funded matter, the Expert's fees claimed are reduced (and Expert in Mind either does not give notice to the instructing party that it wishes to appeal such reduction or, if such notice is given an appeal is unsuccessful), Expert in Mind will, if payment in full of the Expert's fees has already been made, refund to the instructing party the amount of the reduced sum within twenty-eight days of receiving written notice of such reduction or if Expert in Mind has instructed the instructing party to appeal, within twenty-eight days of notice being given that such appeal was unsuccessful.

10. Members of Expert in Mind's panel of Expert Witnesses will always endeavour to carry out instructions using their experience, care and skill and will ensure that they are independent witnesses. The Expert reserves the right to withdraw from a case on which he/she is instructed should he/she be of the opinion for any reason that he/she cannot give an unbiased opinion.

11. The contents of any Expert's report and opinions and other comments contained in it shall represent the views of the expert only and not those of Expert in Mind and Expert in Mind shall not be responsible for liable for the contents of any Expert's report or any opinions, comments or other views expressed by the Expert.

12. A Letter of Instruction together with a signed copy of these Terms and Conditions must always be sent to Expert in Mind confirming that the instructing party wishes the Expert to act on their behalf before any work commences. Reports and/or any written work relating to a case completed by the Expert will not be released without Terms and Conditions having been signed and returned by all case instructing parties.

13. All correspondence must be addressed to Expert in Mind Limited and not direct to the Expert. In certain circumstances where bulky items (e.g. medical records) are sent direct to the Expert, a copy of the covering letter must also be forwarded to the expert witness department. All subsequent enquiries or instructions must be addressed to Expert in Mind Ltd and not direct to the Expert. Case documentation should be received by the Expert/ Expert in Mind at least five working days prior to appointments / court attendance.

Please confirm your agreement to these Terms and Conditions by signing and returning this copy.

Signed: ……..... Date: …….

(Please Print Name ……..)
For and on behalf of: TV Edwards Law

Expert in Mind
Essential in uniting professionals

02 September 2022

Our ref: 16129
Your ref: KBN/EBK/BER374/1

Emily Black
TV Edwards Law
18 St Johns Road
London
SW11 1PN

By email only to Emily.Black@tvedwards.com

Dear Emily Black,

Re: Defendant: Oliver Bernard - DOB: 12 October 1965

Thank you for your letter of instruction and enclosures received in respect of the above case. Dr. Sajid Suleman is pleased to assist and has scheduled the following appointment for your client:

Date:	Wednesday 7th of September 2022
Time:	10:00 AM- 12:00 PM
Venue:	Regus, Romer House, 132 Lewisham, High Street, SE13 6EE
Attendee:	Bernard, Oliver

I would be grateful if you would contact me to confirm your client's availability to attend the above appointment.

In order for Dr. Suleman to proceed with the above appointment, a copy of the enclosed Terms and Conditions document needs to be signed and returned by each fee paying party, at least three days prior to the appointment date.

I detail below an estimate of the costs that will be incurred for the work requested:

7 hours reading (based on 500 pages) @ £108 per hour = £756.00
2 hours interviews @ £108 per hour = £216.00
6 hours report preparation @ £108 per hour = £648.00

Total = £1,620.00
VAT = £324.00
Total plus VAT = £1,944.00

Please note Dr. Suleman will require sight of Oliver Bernard's mental health records in order to be able to complete his report. I would therefore be grateful if you would provide copies as soon as possible. Allowance has been made within the above reading estimate for review of medical records. Should a particularly large volume of records be received, and the estimate need to increase, I will notify you immediately.

Dr. Suleman will complete his report on **21 October 2022** subject to:

- Receipt of signed Terms and Conditions as specified
- Receipt of mental health records a minimum of 1 week prior to the appointment date
- The client attending the appointment on the specified date

A delay in receipt of the above may cause delay to the report filing date.

I hope this information is of assistance and look forward to hearing from you. In the meantime, if I can assist further, please do not hesitate to contact me.

Yours Sincerely,

Justine Ghata-Aura
Trainee Case Manager

Enc.

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DX300700 Tower Hamlets | tvedwards.com

County Court at Clerkenwell and Shoreditch
The Gee Street Courthouse
29-41 Gee Street
London
EC1V 3RE

Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

BY FIRST CLASS POST

Our ref. EBK/BER374/1 Your ref. 19 October 2022

Dear Sir or Madam

LONDON BOROUGH OF LAMBETH V OLIVER BERNARD
CLAIM NO.: J01EC769
APPLICATION TO COME OFF THE COURT RECORD

We continue to act for the Defendant in the above-named proceedings. Please find enclosed:

1 N244 dated 19.10.2022 in duplicate; and
2 Witness Statement of Emily Black dated 19.10.2022 with exhibits in duplicate.

This is an application to come off the Court record as acting for the Defendant.

We would be grateful if the Court would ensure that this application will not be put before the Judge with conduct of the case of this matter so that the Defendant's position is not prejudiced.

The Claimant should not be served with this application and witness statement to avoid prejudicing the Defendant.

Please deduct the court fee of £108 from our PBA account – **PBA0087920.**

Thank you for your assistance.

Yours faithfully

TVEdwards

TV Edwards LLP
Enc.

A national reputation built on delivering first-class legal services

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35-37 Mile End Road | London | E1 4TP

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Thornton Heath Medical Practice
61A Gillett Road
Thornton Heath
Surrey
CR7 8RL

Telephone (24hours) 020 3440 8000 – EXT 8201
Fax 020 3357 9587
Email katie.brown@tvedwards.com

Direct Dial 0203 440 8201

Please ask for Katie Brown

By email only to: swlccg.thmp@nhs.net

Our ref. KBN/EBK/BER374/1 Your ref. 14 July 2022

Dear Sirs/Mesdames

Our Client: **Oliver Bernard**
DOB: **12 October 1965**
Current Address **33 Carfax Place, London SW4 7BQ**

This firm is acting for Mr Bernard in injunction proceedings brought against him by his landlord. We enclose a signed form of authority authorising us to contact you.

We understand that you are Mr Bernard's GP and that he suffers from both physical and mental health issues. In order to assist Mr Bernard in this matter, we are writing to request a copy of his medical records which should detail all current and past diagnoses and medications.

The next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

Please send the records to Emily Black at emily.black@tvedwards.com.

We understand that under the changes brought in by GDPR, our client no longer has to pay for the production of these medical records. Please confirm.

We look forward to hearing from you.

Yours faithfully

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Legal Services
London Borough of Lambeth

By email only to: NFranklin@lambeth.gov.uk

Telephone (24hours) 020 3440 8000 – EXT 8201
Fax 020 3357 9587
Email katie.brown@tvedwards.com

Direct Dial 0203 440 8201

Please ask for Katie Brown

Our ref. KBN/EBK/BER374/1 Your ref. 15 July 2022

Dear Madam

London Borough of Lambeth v Oliver Bernard
Claim No.: J01EC769
Next hearing on 24 August 2022

We have been instructed to act for the Defendant in the above proceedings. Please find enclosed a notice of acting and notice of issue of emergency public funding certificate, along with a signed form of authority from our client

In order for us to assist Mr Bernard, we are writing to request copies of all of the papers to date in this matter – to include Mr Bernard's housing file, any orders of the court, and anything filed by yourselves with the court.

Further, we understand from the multi-disciplinary meeting that took place on 6 June 2022 that a mental health assessment, Care Act assessment, and risk assessment were to be carried out regarding Mr Bernard. This meeting also noted that a previous Care Act assessment has been carried out by LB Croydon. We would be grateful to receive copies of all of these assessments. If some of the assessments are yet to be carried out, please confirm when the assessments are due to take place.

We look forward to hearing from you.

Yours faithfully

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Mr O Bernard
33 Carfax Place
London
SW4 7BQ

Also by email to: oliverbernard521@gmail.com

Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 12 October 2022

Dear Mr Bernard

YOUR HOUSING INJUNCTION CASE – END OF RETAINER

I am writing to inform you that I consider the retainer between you and this firm has come to an end and as such, I will not be taking any further action for you.

I set out below the reasons why I consider this firm cannot continue to act for you and what steps I will be taking next.

I arranged an appointment for you to be assessed by an independent expert psychiatrist, Dr Suleman, on Monday 10 October 2022. On 22 August and again on 24 August you confirmed to me and your barrister that you were willing to attend such an appointment. Your barrister and I explained to you the reasons why it is our advice for you to attend this appointment. On 16 September I sent you a letter confirming why it was important for you to obtain a medical report in your case.

I note that when I was on leave my colleague, Katie Brown, wrote to you by email on 3 October and 7 October to confirm that it was essential to your case that you attended the appointment with Dr Suleman and that if you did not attend, then this firm would not be able to continue to act for you. In her email of 10 October, Ms Brown specifically warned you that if you did not attend the appointment with Dr Suleman we would make an application to come off the court record as acting for you.

On 10 October my colleague Caroline Bird spoke with you and again explained why it was important for you to obtain a medical report in your case. During that call you told Caroline that you understood the consequences if you did not attend the appointment with Dr Suleman.

You did not attend the appointment with Dr Suleman on 10 October, against our advice.

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One of the reasons why this assessment was important is because we have concerns about your capacity to instruct this firm in the proceedings. We cannot continue to take instructions from you where we are not confident that you have capacity to instruct us.

You have also written to me to state that if I do not use certain evidence in your case, then you will have to take the view that I am not looking to submit anything on your behalf in this matter.

Further, you have refused to remove videos that you took of our meetings from YouTube. I have explained why it is not appropriate for those videos to be available on a public platform. If your opponent were to view those videos, they could be very harmful to your case. In addition, neither I nor the firm agreed or consented to the recording of those meetings, and we certainly do not give you permission to publish them.

Despite our requests you have failed to remove the videos, which in my view brings an end to the relationship of trust and confidence between you and this firm.

The relationship of trust and confidence between the solicitor and client is very important. Unfortunately, it can happen that this relationship will break down during cases. In such circumstances, the solicitor cannot continue to act and that is why our retainer with you has come to an end.

Given the above, I confirm that I will now do the following:

1. Seven days after the date of this letter, I will make an application to the court for this firm to come off the court record as acting for you in the injunction proceedings. I will send you a copy of the application but not your opponent, as there will be information within the application that will be privileged (and therefore should not be disclosed to your opponent); and
2. Write to the Legal Aid Agency to ask them to discharge (cancel) your funding certificate due to the reasons set out above.

I will not take any further action in relation to your matter. As there is no hearing date listed at present, this will not prejudice your case.

Alternatively, if you agree that this firm should stop acting for you, I enclose an N434 form - change of legal representative, which you can sign and send back to me to confirm this.

You may wish to instruct another firm to assist you. I would advise you to do so as soon as possible before the next hearing is listed. However, you must inform any new firm that you have already received Legal Aid in this matter.

Yours sincerely

Emily Black

Solicitor
For and on behalf of TV Edwards LLP

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35-37 Mile End Road | London | E1 4TP

DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

By email only to: oliverbernard521@gmail.com

Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 16 September 2022

Dear Mr Bernard

YOUR CASE

I write regarding the next steps in your case.

As you know, at the hearing on 24 August 2022 the judge gave permission for you to get a report from an independent, expert psychiatrist. The purpose of this is to assess things such as your capacity to instruct us, to comply with the terms of the injunction, whether your diagnoses mean that you are disabled within the meaning of the Equality Act, and if so whether that disability is linked to the behaviour that your landlord is accusing you of. We have also asked the expert to assess other related matters, for example what impact having an injunction in place may have on you.

I understand that you are not clear on why this psychiatric report is necessary in your case.

Firstly, it is very important that we can be sure that you are able to comply with the terms of the injunction. If your diagnoses mean that you are not able to, then we can tell the court that the injunction should not be in place. Secondly, your landlord has a duty as a local authority to ensure that it has complied with all its duties under the Equality Act, if you are a disabled person.

It is also important due to our duties to you as a client and to the court that we ensure that you can instruct us effectively. I do have concerns about your capacity to instruct me directly due to difficulties we have had so far.

We have arranged an assessment to take place with an independent, expert psychiatrist. The instructions to this expert were drafted by me and your barrister. Your landlord is not involved in the instructions or the assessment whatsoever.

The details of the assessment are below:

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Date: Friday 7th of October 2022
Time: 10:00 AM- 12:00 PM
Venue: Regus, Romer House, 132 Lewisham, High Street, SE13 6EE

You do not have to attend this assessment against your will, but it is our advice as your legal representatives that it is in your best interests to do so and is essential in order for your case to progress.

Please contact me if you have any questions about this letter.

Yours sincerely

Emily Black
Solicitor
For and on behalf of TV Edwards LLP

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DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

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Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 16 September 2022

Dear Mr Bernard

Videos on your YouTube channel

I write further to our telephone calls this morning about the videos on your YouTube channel of our meeting with your barrister.

I have just checked your channel, and I note that some of the videos are still there.

As discussed, neither me or your barrister gave permission for you to take a video recording of the meeting and publish it online.

Further, it could be bad for your case for private conversations with your lawyers to be online and accessible.

I understand why you may wish to make these recordings, but you do need to ask for authority to do so first in future.

Please ensure that you take down all of the videos within the next 24 hours. If you do not have permission from the people in the other videos on your channel, then I advise that you take those videos down oto.

Please note that I do not want you to publish any of videos of our meetings again in future without my consent.

Yours sincerely

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Emily Black
Solicitor
For and on behalf of TV Edwards LLP

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DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 19 October 2022

Dear Mr Bernard

YOUR HOUSING INJUNCTION CASE

I write further to my letter of 12 October in which I informed you that I would be making an application to the court for this firm to come off the court record as acting for you in the injunction proceedings.

I have sent this application to the court today and I enclose a copy for your records.

Please note that I have not sent this application to your opponent as it contains privileged information. I have also asked the court not to serve the sealed application on your opponent.

I will shortly be writing to the Legal Aid Agency to ask them to discharge (cancel) your funding certificate.

Yours sincerely

Emily Black
Solicitor
For and on behalf of TV Edwards LLP

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South London and Maudsley NHS Foun
Trust

By email only to:
DataProtectionRequests@slam.nhs.uk

Telephone (24hours) 020 3440 8000 – EXT 8201
Fax 020 3357 9587
Email katie.brown@tvedwards.com

Direct Dial 0203 440 8201

Please ask for Katie Brown

Our ref. KBN/EBK/BER374/1 Your ref. 27 July 2022

Dear Sirs/Mesdames

Our Client: **Oliver Bernard**
DOB: **12 October 1965**
Current Address: **33 Carfax Place, London SW4 7BQ**
Previous Address: **27 The drive, Thornton Heath, Croydon CR7 8LB**

This firm is acting for Mr Bernard in injunction proceedings brought against him by his landlord. We enclose a signed form of authority authorising us to contact you, along with a copy of his passport and your subject access request form.

We understand that Mr Bernard is known to you. We specifically note that Mr Bernard has recently been offered an assessment by yourselves for an assessment as to his mental health needs. We understand that Mr Bernard is, or until recently was, prescribed with medication for his diagnosed Schizophrenia.

In order to assist Mr Bernard in this matter, we are writing to request a copy of any records you may hold regarding his mental health.

The next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

Please send the records to Emily Black at emily.black@tvedwards.com.

We look forward to hearing from you.

Yours faithfully

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Your ref:
Our ref: LS/HP/INJ/NF/80242
13 September 2022

Lambeth Legal Services

Oliver Bernard
33 Carfax Place
SW4 7BQ

PERSONAL SERVICE

Dear Mr Bernard,

Re : London Borough Of Lambeth -V- Oliver Bernard
Case No : J01EC769

We write further to the above-named matter.

You may recall from the last hearing that the Judge advised that she would redraft the injunction order so that the contents were clearer and that we should serve a further copy on you.

We received a copy of the revised injunction today.

Please therefore find enclosed by way of service a copy of the Injunction Order and Power of arrest. A copy has also been provided to your solicitors.

As you can see, the attached Injunction Order sets out what you **MUST NOT DO** in terms of the complaints received about your nuisance and anti-social behaviour from and the locality your premises, 33 Carfax Place, London SW4 7BQ.

Please note that a copy of the Injunction Order and Power of Arrest will be lodged with the Local Police in readiness to act upon in the event you commit and breach the terms set out in the Injunction Order as ordered by the Court. That means the Police can arrest you if you are found to have breached the terms set out in the Injunction Order by doing what the court ask you not to do in relation to the Terms of the Injunction made by the Court. We trust you do not want that to happen.

For the avoidance of doubt, it is in your interest to familiarise yourself with the terms set out in the Injunction Order and understand what you need to do regarding the matter and as set out by the Court. If in doubt, please seek guidance from your legal representatives.

London Borough of Lambeth
Legal Services
PO Box 733
Winchester
SO23 5DH

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Yours faithfully,

N.Franklin

Nina Franklin
Legal Services
Direct Line: 020 7926 2505

Enc.

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SOLICITORS & ADVOCATES LLP

35-37 Mile End Road | London | E1 4TP

DX300700 Tower Hamlets | tvedwards.com

Dr Suleman

By email only

Telephone (24hours) 020 3440 8000 – EXT 8201
Fax 020 3357 9587
Email katie.brown@tvedwards.com

Direct Dial 0203 440 8201

Please ask for Katie Brown

Our ref. KBN/EBK/BER374/1 Your ref. 1 September 2022

Dear Sir

REQUEST FOR MEDICAL REPORT FOR USE IN THE CASE OF
LONDON BOROUGH OF LAMBETH V OLIVER BERNARD
CLAIM NO.: J01EC769
IN THE COUNTY COURT AT CLERKENWELL AND SHOREDITCH

Thank you for agreeing to meet with Mr Bernard at your consulting rooms on 7 October 2022 and to prepare a report for use in the Anti-Social Behaviour Injunction proceedings above.

Enclosures

To assist with preparing the report, we enclose the following papers:

1. Injunction papers, to include: application for injunction, injunction order and power of arrest, subsequent injunction orders and court orders (dated 01.06.2022, 10.06.2022, 23.06.2022), correspondence sent to Mr Bernard by his landlord (dated 23.05.2022, 08.06.2022, 17.06.2022), witness statement of Babs Olosun, witness statement of Jummy Rufai, witness statement of Janet Coote, second witness statement of Janet Coote, and Care Act assessment documents;
2. Relevant extracts from Mr Bernard's medical records. Please note that we are still awaiting Mr Bernard's records regarding his mental health from South London and Maudsley NHS Trust but we will send these on as soon as received;
3. Copy of Mr Bernard's most recent prescription; and
4. A recording, taken by Mr Bernard, of his conversation with the police on 27 April 2022.

If there are any other documents that you wish to see to complete your report please advise as soon as possible.

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Proceedings

We confirm that we are acting for the Defendant, Mr Bernard in the Anti-Social Behaviour Injunction proceedings above.

As you will see from the court papers, Mr Bernard is a tenant of the Claimant, the London Borough of Lambeth. He moved into the property at 33 Carfax Place, London SW4 7BQ in March 2022. The property is within a sheltered housing scheme.

Mr Bernard had previously been living at 27 The Drive in Croydon, which was temporary accommodation provided by the Claimant. Mr Bernard had issues with the private landlord at 27 The Drive. For example, Mr Bernard was accused of leaving the gas hob on in order to heat the property. Mr Bernard's neighbours also accused him of anti-social behaviour. Mr Bernard denies the allegations and instructs that his mental health was impacted by the accusations..

LB Lambeth applied for an Anti-Social Behaviour Injunction against Mr Bernard on 5 May 2022. The first hearing took place on 18 May 2022, which was without notice to Mr Bernard. As you will note from their draft injunction order, LB Lambeth sought to exclude Mr Bernard from his property altogether. However, the judge refused to make the exclusion order and instead decided to make an interim injunction forbidding Mr Bernard from:

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth and Carfax Place;
2. Damaging any property of the London Borough of Lambeth at Carfax Place; and
3. Causing nuisance or annoyance to any residents at Carfax Place, or any employee, contractor, or any elected member of the London Borough of Lambeth at Carfax Place.

A power of arrest is attached to the first two paragraphs, and both the injunction and power of arrest are in force until further order of the court.

Mr Bernard was served with the injunction papers on 23 May 2022.

The main allegation against Mr Bernard is that on 27 April 2022 he physically assaulted a member of Lambeth's staff. Mr Bernard denies this. He instructs that he attended the communal hall because it was his laundry day (there is a rota in place at the scheme). He went to the laundry room, which is inside the communal hall, checked if the machine was in use and upon finding that it was free he went back to his flat to collect his laundry and washing powder, and then came back to the communal hall and found another resident there. Mr Bernard was then told by Jummy Rufai (scheme manager) that the rota had been changed and it was no longer Mr Bernard's laundry day. Babs Olosun, sheltered attendant, was also there and Mr Bernard instructs that both staff members were angrily telling him that he could not use the washing machine. Mr Bernard instructs that he did not shout at all, and he did not use any racist language – he states that Jummy is a black

woman and as a black man, he would not be racist towards her. Mr Bernard instructs that he and Jummy were both in the laundry room. The door to the laundry room opens towards you, into the laundry room. Jummy was standing behind Mr Bernard and she put her foot in front of the door. Mr Bernard instructs that by pulling the door open towards him, with Jummy behind him, there was no way for the door to knock her over without hitting him first. Mr Bernard instructs that he turned around to see Jummy on the floor saying “ow”. Mr Bernard was worried, due to his criminal history, that he would be falsely accused so he left the communal hall and went upstairs to get his phone and called the police. Mr Bernard instructs that he came back downstairs at which point Jummy slapped his phone out of his hand and so Mr Bernard went back to his flat to watch out of his window until the police arrived. Mr Bernard spoke to the police when they arrived. We have enclosed a video recording, taken by Mr Bernard, of this conversation with the police. Please note that we have asked Mr Bernard for a copy of any other recording he took that day on his mobile phone, but he has been unable to provide that to us.

Mr Bernard is accused of attending the Scheme office on 13 May 2022 holding a long iron bar and intimidating a member of Lambeth’s staff. Mr Bernard denies this and says his CCTV footage shows that every time he leaves the property or returns to the property, he did not have an iron bar. We have not seen CCTV footage from this date. Mr Bernard says he had a broom as he was sweeping down the stairs, but not an iron bar. Mr Bernard denies going to the Scheme office at all on 13 May and that he left his property once to go to the shops.

Mr Bernard is accused of walking around wearing only shorts/knickers on 21 May 2022, shouting, frightening other residents and their visitors’ children.

Also on 21 May 2022, Mr Bernard is accused of standing “half naked” in the middle of the road controlling the traffic, and then returning to his property and throwing rubbish items into the communal hall from his window.

Mr Bernard denies these allegations. He states that on that date he left the property only twice, once to go to Clapham Common with his speaker and the second to go to the shop. He instructs that he does not leave the house shirtless.

In relation to throwing items from his window, he says that on one occasion some items have fallen out of his window – a bottle of soap and his CCTV camera before the CCTV was set up – but the downstairs neighbour just asked him if the items belonged to him, and he went and collected them.

Mr Bernard is accused of hiding in the communal hall and laundry area with the lights off and suddenly emerging, frightening other residents. Mr Bernard denies this and instructs that he has been to the communal hall on around three occasions only. Mr Bernard instructs that he has been to the laundry room on two occasions only – once to do a wash and the second when the incident on 27 April took place, and he has not returned since, instead choosing to do his washing at a laundrette.

Mr Bernard is accused of playing loud music at night. Mr Bernard denies this, and says that once he realised that his music could be heard in the communal hall, he got rid of all

his speakers to avoid any trouble. He now only plays his music through his TV or computer so the speakers are not very powerful.

Mr Bernard is accused of disregarding the health and safety of other residents. Mr Bernard denies this and he does not know what this accusation specifically refers to.

Mr Bernard is accused of verbally abusing and intimidating other residents. Mr Bernard denies this and instructs that he does not talk to any of the other residents and keeps himself to himself. He instructs that he had one other interaction with his downstairs neighbour (aside from when the things fell out of his window) as she is a keyholder for the communal hall, so he asked to borrow her key to do a clothes wash.

Mr Bernard is accused of demanding the common room to be opened outside of regular operating hours. Mr Bernard denies this and repeated that he does not go to the communal hall. He asked for it to be opened on the one occasion noted in the above paragraph. He said that he saw his downstairs neighbour coming back from the communal hall, he asked her if he could have the key to do a wash, she said yes she will let him know when she is finished using the washing machine, and she then called him on the internal phones when she was done. Mr Bernard then got the key from her and did a wash.

Mr Bernard is accused of smoking in non-smoking areas. Mr Bernard does not smoke cigarettes, but he does smoke a vape pen. Mr Bernard was not clear that the same rules apply to vaping as they do to smoking cigarettes, and Mr Bernard does not know where the designated smoking areas are at the sheltered scheme. However, Mr Bernard does know that there are ashtrays outside the communal hall and he knows that the communal hall is not a smoking area, and he does not go in there in any event. Mr Bernard instructs that he smokes his vape pen in his flat and outside the community hall.

There have been various hearings after the injunction was made. On 1 June there was a hearing which Mr Bernard attended but did not have legal representation, at which Lambeth filed police disclosure – exhibited to the second witness statement of Janet Coote. The judge considered that the hearing should be adjourned to allow Mr Bernard to find representation and for a multi-agency meeting to take place.

The multi-agency meeting took place on 6 June 2022, details of which can be found in the second witness statement of Janet Coote. At the meeting, it was determined that a proper risk assessment was not carried out before Mr Bernard moved into this property, and that the sheltered scheme is not in fact suitable for him. It was also determined that Mr Bernard should be placed outside of the London Borough of Lambeth. The outcome of the meeting was for various assessments to be carried out: a mental health assessment, a Care Act assessment, and a risk assessment.

The hearing on 10 June was adjourned again for Mr Bernard to find legal representation, and the hearing on 23 June was adjourned for both parties to explore the possibilities of Lambeth providing alternative accommodation to Mr Bernard. There has been no further information from Lambeth regarding alternative accommodation for Mr Bernard.

After this hearing, Mr Bernard instructed this firm. A hearing took place on 24 August 2022 at which we raised our concerns about Mr Bernard's capacity to instruct us. As such, the court gave permission for Mr Bernard to rely on an expert psychiatric report addressing: (i) whether the Defendant has litigation capacity in relation to these proceedings, (ii) whether the Defendant has capacity to comply with an injunction ('Wookey capacity'), (iii) whether the Defendant is disabled within the meaning of s.6 Equality Act 2010, (iv) if so, whether there is a connection between the Defendant's disability and the alleged anti-social behaviour, and (v) other related matters, such as what support might benefit the Defendant and the impact on the Defendant of imposition of an injunction. The court also amended the injunction order to remove the power of arrest from paragraph 2, but aside from that it remains in force until further order of the court. A further hearing is to be listed on the first available date after 26 October 2022.

Our concerns around Mr Bernard's litigation capacity came up largely because we consider that there is a potential defence to the proceedings based on disability discrimination (so long as there is a causal connection between the alleged anti-social behaviour and any disability of Mr Bernard). The difficulty arises because Mr Bernard does not accept that there may be a link between his mental health condition and his behaviour, and has become frustrated at the suggestion that his mental health could be linked to this case.

Medical background

From the medical records, it appears that Mr Bernard has had "behavioural problems" since 1978. We understand that he was diagnosed with schizophrenia in 2000. Mr Bernard's symptoms include auditory, visual and tactile hallucinations. The auditory hallucinations include command hallucinations which tell him to do things. Mr Bernard believes that the voices belong to the devil or something similar. He also believes that thoughts are being put into his head.

Mr Bernard instructed that at the moment, he does still hear voices but they are "dying off now more than ever". He says that the voices currently tell him that he has enough evidence to prove that Jummy Rufai is lying, but the voices can also be on Jummy's side, telling him to let Jummy win.

Mr Bernard has reportedly been on medication since his diagnosis in 2000. You will see a copy of his most recent prescription enclosed. The records show that Mr Bernard has largely been compliant with his medication over the years. Mr Bernard has engaged in support for his mental health on and off since his diagnosis. He appears to have insight into the fact that his medication assists with his symptoms, and there was a period at the end of 2007 where he was not taking his medication due to relocating and he found his symptoms worsening, so he sought a new prescription.

LB Lambeth made a safeguarding referral to Lambeth Single Point Access for mental health support. They also referred Mr Bernard for a Care Act assessment. Mr Bernard has been contacted by Olivia Laidlaw from SLaM CMHT but he is of the view that he does not need support with his mental health and that he does not have a problem at present. Therefore, he has said that he will not be contacting SLaM to arrange an appointment.

We have enclosed a copy of the Care Act assessment from June 2022. Mr Bernard was assessed as being able to achieve all outcomes and was not eligible for services under the Care Act, but the assessor did note that Mr Bernard had deteriorating mental health and the ongoing proceedings may impact his mental health.

Mr Bernard has a history of drug use, including crack cocaine and cannabis. There is mention of use of heroin in his medical records on at least one occasion. We do not have instructions as to whether or not Mr Bernard is currently using drugs.

Mr Bernard went to pick up his prescription on 10 August 2022 but the pharmacy that he usually attends was unable to provide him with his medication. You will note from the copy of the prescription enclosed that a review was due on 1 August 2022. As Mr Bernard is no longer registered with a GP or receiving any support for his mental health, it does not appear that there was anyone to carry out this review. Mr Bernard has told us that he not been taking his medication since at least 10 August 2022 and his presentation has been deteriorating since then. For example, it has become much more difficult to keep Mr Bernard on topic and he has discussed matters such as Lucifer and the devil, also quoting extracts from the bible.

Mr Bernard also suffers from physical health issues. He was stabbed resulting in liver injury in 1997. He has also been diagnosed with diabetes and rheumatoid arthritis.

Legal Framework

Capacity

The Mental Capacity Act 2005 ("the MCA") came into force on 1 October 2007, along with an accompanying Code of Practice. You are required to have regard to the principles and provisions of the MCA and the Code and we draw your attention in particular to Chapter 5 of the Code. The statutory principles of the MCA provide that:

Section 1

'(2) A person must be assumed to have capacity unless it is established that he lacks capacity.

(3) A person is not to be treated as unable to make a decision unless all practicable steps to help him to do so have been taken without success.

(4) A person is not to be treated as unable to make a decision merely because he makes an unwise decision' …

As you will no doubt be aware, although we have a duty to remind you, the Mental Capacity Act 2005 (MCA) provides for a two stage test to ascertain whether an individual has the requisite capacity to make a decision. Section 2 of the MCA provides for a diagnostic test that "a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or disturbance in the functioning of, the mind or brain." Accordingly, it is first necessary to determining whether a person is unable to make a decision for himself in relation to the

matter in question and, if so, whether this is because of an impairment of or disturbance in the functioning of the mind or brain.

Section 2 provides insofar as is material as follows:

Section 2 - People who lack capacity

(1) For the purposes of this Act, a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain.

(2) It does not matter whether the impairment or disturbance is permanent or temporary.

(3) A lack of capacity cannot be established merely by reference to-
(a) a person's age or appearance, or
(b) a condition of his, or an aspect of his behaviour, which might lead others to make unjustified assumptions about his capacity.

(4) In proceedings under this Act or any other enactment, any question whether a person lacks capacity within the meaning of this Act must be decided on the balance of probabilities....

Section 3 provides that:

Section 3 - Inability to make decisions

(1) For the purposes of section 2, a person is unable to make a decision for himself if he is unable-
(a) to understand the information relevant to the decision,
(b) to retain that information,
(c) to use or weigh that information as part of the process of making the decision, or
(d) to communicate his decision (whether by talking, using sign language or any other means).

(2) A person is not to be regarded as unable to understand the information relevant to a decision if he is able to understand an explanation of it given to him in a way that is appropriate to his circumstances (using simple language, visual aids or any other means).

(3) The fact that a person is able to retain the information relevant to a decision for a short period only does not prevent him from being regarded as able to make the decision.

(4) The information relevant to a decision includes information about the reasonably foreseeable consequences of-
(a) deciding one way or another, or
(b) failing to make the decision

Practitioners are also required to have regard to the Code of Practice ('the Code'), which

supports the MCA when assessing capacity and making decisions on behalf of a person who lacks capacity. The Code is available online at www.publicguardian.gov.uk.

The Code gives some examples of what may amount to an impairment or disturbance in the functioning of the mind or brain for the purpose of the stage 1 test:

a. Conditions associated with some forms of mental illness;
b. Dementia;
c. Significant learning disabilities;
d. The long-term effects of brain damage;
e. Physical or mental conditions that cause confusion, drowsiness or loss of consciousness;
f. Delirium;
g. Concussion following a head injury; and
h. The symptoms of alcohol or drug abuse.

The Code also emphasises that people must be given all practical and appropriate support to enable them to make a decision for themselves and that a person should be found to lack capacity only if all such appropriate support has failed.

In a number of cases (*PH v A Local Authority* [2011] EWHC 1704 (Fam), *CC v KK & ors* [2012] EWHC 2136 and *PCT v LDV* [2013] EWHC 272 (Fam)) it has been confirmed that capacity is both issue-specific and time specific. In other words, it is necessary to assess a person's ability to make a particular decision at a particular time, not their ability to make decisions in general.

Capacity to conduct proceedings

In relation to the capacity to conduct legal proceedings, the Supreme Court held in *Dunhill v Burgin* [2014] UKSC 18 that the test is one of capacity to conduct the particular type of proceedings generally. Capacity is to be assessed by reference to all of the decisions that will arise over the course of the proceedings, rather than having to be assessed separately at the point that the need for each decision arises (per Baroness Hale at para 15).

In *Bailey v Warren* [2006] EWCA Civ 51, Arden LJ set out at para 126, some of the matters to be considered in legal proceedings generally, including the client's ability to understand the chances of success, to give proper instructions and to approve a compromise, which itself would require "insight into the compromise, an ability to instruct his solicitors to advise him on it, and an understanding of their advice and an ability to weigh their advice".

In *Re RGS* [2012] EWHC 4162 (COP), a case which concerned litigation capacity, the Court of Protection considered the position where a person may cognitively understand relevant information for the purposes of making a particular decision, but lacks the ability to apply that information in a reasoned way when making the decision due to a mental impairment. The Court noted:

> (a) *"The test is not purely about cognition or capacity to reason. A person may understand the relevant information, be able to retain it, and intellectually be able to acknowledge its significance, but be unable to give it any proper weight, because of an overwhelming phobia, obsessive thoughts, compulsive behaviour or abnormally*

> *impulsive behaviour attributable to an impairment or disturbance of their mind or brain." (para 20);* and,
>
> (b) *It is therefore going too far to say that the quality of the decision is irrelevant as long as the person 'understands' what s/he is deciding. As Ashton et al note, 'in Mitchell v Alasia [2005] EWHC 11 (QB), Cox J relied on qualities such as impulsiveness and volatility when deciding that the claimant was incapable of managing and administering his own affairs.'* (footnote 3).

Injunction capacity

As confirmed in *P v P* and *Wookey* the test, as set out in para 902 of the former, states:-

> *"It is not necessary for members of the public to have a clear understanding of the finer points of procedure of the law in the case in which they are parties. It depends upon the facts. It is however crucial that a litigant against whom an order is to be made understands what he must not do, that the order on a piece of paper tells him he must not do A or B or C and that he understands that if he disobeys the order he will be in trouble and he may go to prison".*

In the *Wookey* case the court decided that an injunction should only be made against an individual who was amenable to the court's jurisdiction; that the key question was whether the individual understood the nature and requirements of the order sought; and that an injunction should not be made against an individual who was found to be "incapable" of understanding what he was doing or that what he was doing was wrong since it could neither achieve its desired deterrent effect nor operate upon that person's mind so as to regulate his behaviour.

Even if a defendant is capable of understanding the nature and requirements of the injunction, if as a result of their diagnosis they are not able to comply with the terms of the injunction, an injunction should not be put in place (see also *Pender v DPP* [2013] EWHC 2598 (Admin)). In *R (Cooke) v DPP* [2008] EWHC 278 (admin) the court said it was important to distinguish between a likelihood or inevitability of a person disobeying an ASBO and the person's lack of capacity to obey it.

Disability

We also set out below the legal principles around disability issues.

The Equality Act 2010 defines a disability as follows:-

(1) A person (P) has a disability if—

> *(a)P has a physical or mental impairment, and*
> *(b)the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.*

The term "mental or physical impairment: should be given its ordinary meaning. It is not necessary for the cause of the impairment to be established, nor does the impairment

have to be the result of an illness. The definition of disability for the purposes of the Equality Act 2010 is functional, that is, it is necessary to consider the impact of any impairment on an individual's ability to carry out normal day-to-day activities.

A disability can arise from a wide range of impairments which can be:

- progressive, such as motor neurone disease, muscular dystrophy, and form of dementia;
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
- learning disabilities;
- mental health conditions with symptoms such as anxiety, low mood, panic attacks, phobias, or unshared perceptions; eating disorders; bipolar affective disorders; obsessive compulsive disorders; personality disorders; post traumatic stress disorder, and some self-harming behaviour;
- mental illnesses, such as depression and schizophrenia;
- produced by injury to the body, including to the brain.

Certain conditions are not to be regarded as impairments for the purposes of the Act.
These are:

- addiction to, or dependency on, alcohol, nicotine, or any other substance (other than in consequence of the substance being medically prescribed);
- the condition known as seasonal allergic rhinitis (e.g. hayfever), except where it aggravates the effect of another condition;
- tendency to set fires;
- tendency to steal;
- tendency to physical or sexual abuse of other persons;
- exhibitionism;
- voyeurism.

It is not necessary to consider how an impairment is caused, even if the cause is a consequence of a condition which is excluded. For example, liver disease as a result of alcohol dependency would count as an impairment, although an addiction to alcohol itself is expressly excluded from the scope of the definition of disability in the Act. What it is important to consider is the effect of an impairment, not its cause – provided that it is not an excluded condition.

A person with an excluded condition may nevertheless be protected as a disabled person if he or she has an accompanying impairment which meets the requirements of the definition.

When considering whether someone has a disability the impact of medication on their condition and ability to manage their day-to-day living should be ignored.

"Long Term effect" means it has lasted at least 12 months; the period for which it is likely to last is at least 12 months or it is likely to last the rest of the person's life. Where an

impairment ceases to have a substantial adverse effect on a person's ability to carry out normal day to day activities, it is to be treated as continuing to have that effect if it is likely to recur. A substantial effect is likely to recur if it "could well happen".

"Substantial" in the Act means "more than minor or trivial". An impairment which would be likely to have a substantial adverse effect on the ability of the person concerned to carry out normal day to day activities but for the fact that measures are being taken to treat or correct it is to be treated as having that effect. Thus if the person has paranoid schizophrenia but is well, provided he takes his medication, he is still treated as having a mental impairment with substantial adverse effects.

We attach a link to a PDF document providing guidance on matters to be taken into account in determining questions relating to the definition of disability.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85010/disability-definition.pdf.

Discrimination arising from disability

Section 15(1) of the Equality Act 2010 provides that:

> *A person (A) discriminates against a disabled person (B) if—*
>
> *a) A treats B unfavourably because of* ***something arising in consequence of B's disability****, and*
>
> *b) A cannot show that the treatment is a proportionate means of achieving a legitimate aim.*

The case of *Basildon & Thurrock NHS Foundation Trust v Weerasinghe* (2016) UKEAT/397/14 explains that the words “something arising in consequence of” require a causal link between the “something” and the disability: disability must not simply form the context in which behaviour occurs.

The case of *Pnaiser v NHS England* (2015) UKEAT/0137/15 explains that the expression “could describe a range of causal links” and the “the causal link between the something that causes unfavourable treatment and the disability may include more than one link” (i.e. the disability causes something, which causes something else, which causes the unfavourable treatment).
Further, the case of *Risby v Waltham Forest LBC* (2016) UKEAT/318/15 makes clear:

- There is no need to show a *direct* link between the disability and the conduct
- All that is needed is to show that the disability is an 'effective cause' of the conduct
- There can be more than one effective cause, one of which constitutes a disability and one of which does not, and this would still satisfy the requirement for the conduct to have arisen 'in consequence' of the disability

In the *Risby* case, for example:

- the claimant's disability meant that he was unable to access meetings at a venue that was not wheelchair accessible, which caused him to become frustrated;
- as a result of this frustration, combined with his personality trait of shortness of temper (which did not arise out of a disability), he became aggressive and used racist and abusive language towards a colleague and was dismissed from his job;
- the Employment Appeal Tribunal held that "there were two causes of conduct that gave rise to his dismissal, one of which arose out of his disability" and so his disability was "an effective cause" of the conduct for which he was dismissed.

Request for report

We would ask you to prepare a report for use in the injunction proceedings that covers the following issues:

1. Any diagnosis you reach of Mr Bernard's mental health condition. If you are not able to diagnose a particular condition with certainty please confirm your view as to whether Mr Bernard is likely to have a mental health condition and if so, what steps are required for a formal diagnosis to be made.

2. Please confirm whether, in your opinion:

    a. Mr Bernard is currently compliant with his medication.
    b. Any mental health condition(s) Mr Bernard has is currently well controlled or, alternatively, whether he is experiencing symptoms and, if so, the nature of those symptoms.

3. In relation to capacity, can you confirm your opinion on:

    a. Mr Bernard's capacity to litigate these injunction proceedings (we enclose a Certificate as to Capacity to conduct proceedings for completion). That is, whether he is able to understand, retain, use and weigh information relevant to the injunction proceedings, and communicate a decision. This includes being able to understand the chances of success and to weigh legal advice, including the possibility of a disability discrimination defence, in order to provide instructions.

    b. Mr Bernard's injunction capacity, that is, whether he is able to understand the terms and effect of the injunction, the consequences of breaching it, and whether he is able to comply with the injunction.

    c. For each decision, please set out what you consider to be the relevant information for that decision and what steps you took to help them to understand that information; and explain how any inability to make a decision is caused by an impairment or disturbance in the functioning of Mr Bernard's mind or brain.

d. Do you consider that all practicable steps to help Mr Bernard maximise his ability to make a capacitous decision have been taken without success? If you think there are steps which could be taken but have not been, please identify those steps.

e. If you determine that Mr Bernard lacks litigation and/or injunction capacity, is he likely to regain his capacity? What steps might be taken to support Mr Bernard to do so?

4. Whether or not you would regard Mr Bernard as a person who is disabled in accordance with the definition set out in section 6 of the Equality Act 2010.

a. Please state whether Mr Bernard has or had a mental impairment(s)?

b. If so, did (or does) such impairment *adversely affect* Mr Bernard's ability to carry out *normal day-to-day activities*?

With regard to 'adverse effect': The focus is on what Mr Bernard cannot do or what he can only do with difficulty, whether he needed to be assisted, prompted or motivated, whether he can carry out activities safely and reasonably, and any other negative consequences. The issue is the cumulative effect of day to day activities, rather than any one function taken in isolation.

You must disregard the effects of any medication that Mr Bernard was on and consider the effects on activities *as if* Mr Bernard was not on any medication. It would be helpful to describe the adverse effects both with and without medication.

With regard to 'normal day-to-day activities': The focus is on general day-to-day activities such as interacting with other people (both formally and socially), planning and organising himself, handling money, reading and writing, or making choices and judgements.

If so, please state which activities were affected and how they are/were affected.

c. If so is/was such adverse effect more than minor or trivial? This is referred to below as a 'substantial adverse affect'.

d. In respect of the substantial adverse effect of the impairment –
   i. did it last 12 months or more;
   ii. was it likely to last 12 months or more; or

iii. did the likelihood of it recurring last 12 months or more

'Likely' and 'likelihood' mean "could well happen" rather than "more likely than not".

e. If so please state at what date the criteria above were met and, if applicable, at what date the above criteria ceased to be met.

f. In light of the above, and having regard to the definition of disability (see above) please confirm whether you are of the view that Mr Bernard had/has a disability within the meaning of the Equality Act 2010.

5. If Mr Bernard is a person who is disabled within that definition, is the alleged anti-social behaviour "something arising in consequence" of his disability? As set out above, for this test to be met any disability must be an effective cause of the anti-social behaviour alleged, but need not be the main or sole cause. Moreover, there can be more than one link in the chain of causation.

6. Is there any support that Mr Bernard may benefit from?

7. In your opinion, does Mr Bernard require any specific support to maintain his tenancy and/or supported accommodation?

8. What impact do these proceedings and the injunction have on Mr Bernard? i.e. are the current proceedings and the imposition of the injunction having an impact on his mental health?

9. If Mr Bernard were to be made street homeless because he is evicted from his current property, is he likely to suffer harm, injury or detriment as a result? And if so, what is the risk – i.e. high, medium or low? Would Mr Bernard be more vulnerable than the average person who found themselves street homeless. If so, why?

If there is anything else you wish to address, please feel free to do so.

Payment of fees

You are instructed as an expert on behalf of Mr Bernard who has the benefit of a public funding certificate. Ultimately your fees will be assessed by either the court or the Legal Aid Agency (LAA) at the conclusion of the case as to reasonableness in terms of both hourly rate and time spent. We are further restricted to paying a maximum of £108 per hour for preparation of the report; £40 per hour for travel time and mileage at 45p per mile. We are not authorised to pay a cancellation fee or administration costs.

In addition the LAA expects adult psychiatrists to spend a total of 15 hours in preparing the report broken down as 5 hours for reading, 5 hours for attending the adult and reading and 10 hours for preparing the report. If upon receipt of these papers your estimate for

time spent on this case is higher than this please let us know immediately as we will need to apply for prior authority to cover your fees.

We cannot be responsible for any fees over and above those finally assessed and paid by the LAA or the court. In accepting this instruction you therefore agree that if your fees are subsequently reduced by the court or the LAA you will promptly reimburse the difference between the amount paid on account to you, and the amount finally allowed on assessment, to us.

Once you have received these instructions and the papers if your estimate exceeds the above then please inform this firm before carrying out work over and above this estimate. This is because we will be restricted to paying for only a certain number of hours under the legal aid certificate.

Compliance with court rules

As your report and the certificate will be used in evidence it will need to comply with court rules. Therefore we would be grateful if you would insert the following statement above your signature:

"I confirm that I have made clear which facts and matters are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth."

We would also be grateful if you would confirm that you understand your duty to the court and you have complied with and will continue to comply with it; and that you are aware of the requirements of the court's Civil Procedure Rules, specifically part 35, Practice Direction 35.

Report deadline

We would be grateful to receive the report as soon as possible. The next hearing in this matter is to be listed on the first available date after 26 October 2022 so we would be grateful for receipt of the report in advance of this date.

Please contact Emily Black at this office if you would like to discuss these instructions.

Thank you for your assistance.

Yours faithfully

TV Edwards LLP

Enc.

From: caroline.bird@tvedwards.com
Sent: 07 October 2022 13:59:52
To: Caroline Bird
Subject: You've been sent large files

You've been sent large files

Caroline Bird sent you large files. Download them before Mon, 10 Oct 2022 23:59 +0100.

Files

OB - further medical records.pdf (28.5 MB)

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TV EDWARDS LLP
New Client Advice Form

Client name: Oliver Bernard

File number: KBN/EBK/BER374/1

Case description: Injunction

Solicitor: Katie Brown

Your case has been opened for this firm to advise and if appropriate, assist you in relation to the injunction proceedings brought against you by your landlord, the London Borough of Lambeth.

INFORMATION YOU GAVE TO ME

So far, we have not taken full instructions from you about your case. However, I have gathered some information from the papers that you gave to Emily. I have set out my understanding so far of your case below. It is important that I have accurate information to be able to advise you properly and assist you in your case. Therefore, please let me know if anything below is not accurate. I will write to you again to confirm your instructions once Emily has obtained them from you.

You have lived at the property at 33 Carfax Place, London SW4 7BQ since 21 March 2022. Your landlord is the London Borough of Lambeth. The property is sheltered housing and you have an introductory tenancy.

On 23 May 2022 you were served with papers by your landlord regarding an Anti-Social Behaviour Injunction that had been made without notice on 18 May 2022 by District Judge Naidoo. The injunction prohibits you from:

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth and Carfax Place;
2. Damaging any property of the London Borough of Lambeth at Carfax Place;
3. Causing nuisance or annoyance to any residents at Carfax Place, or any employee, contractor, or any elected member of the London Borough of Lambeth at Carfax Place.

A power of arrest is attached to the first two paragraphs, and both the injunction and power of arrest are in force until further order of the court.

It appears that the injunction made by the judge is not on the same terms as the injunction that your landlord was initially seeking. The draft injunction order that your landlord filed with their initial application sought to stop you from entering or attempting to enter your residence, and from approaching the Carfax Scheme sheltered housing offices.

At the hearing at which the injunction was made, your landlord provided further information to the court. This information included that you were released from prison before the start of your tenancy, that you are in contact with JIGSAW police team, that you have a diagnosis of psychosis but are not currently engaged with any support, and that you had already been offered alternative independent accommodation but not been able to move.

On 23 May 2022 the injunction application, injunction order, power of arrest, defence form and notice of hearing were personally served on you. A hearing was listed on 1 June 2022 to reconsider your landlord's application for an exclusion order and to consider whether or not the injunction should remain in place. Your landlord sent you a copy of the bundle for this hearing and advised you to seek legal advice. You attended the hearing on 1 June but you did not have legal representation. Police disclosure was filed and served at the hearing. The judge ordered that the injunction and power of arrest should continue, but that the hearing should be adjourned to 10 June 2022 in order for you to seek legal representation and for a multi-agency meeting to take place.

The multi-agency meeting took place on 6 June 2022, involving the police and Lambeth members of staff. At the meeting, it was determined that a proper risk assessment was not carried out before you moved into this property, and that the sheltered scheme is not in fact suitable for you. It was also determined that you should be placed outside of the London Borough of Lambeth. The outcome of the meeting was for various assessments to be carried out: a mental health assessment, a care act assessment, and a risk assessment.

At the hearing on 10 June, the matter was adjourned until 23 June. At the hearing on 23 June, you told us that the matter was again adjourned. The next hearing is to take place on 24 August 2022. However, I have not seen an order or notice of hearing confirming this.

In the witness statements filed by your landlord, they accuse you of behaviour such as playing loud music at night, verbally abusing and intimidating other residents, demanding the common room to be opened outside of regular operating hours, smoking in non-smoking arears, and disregarding the health and safety of other residents. Other allegations include hiding in the communal hallway with the lights off then emerging suddenly when someone comes into the hallway, and staring at the office entrance through your kitchen window. The main allegation is regarding an incident which your landlord says took place on 27 April 2022. Reportedly, on 27

April 2022 just before 10:40am you were in the Carfax Scheme Communal Lounge with a pile of clothes. A staff member, Jummy Rufai, approached you to ask where you were going because it was not your allocated laundry day. Ms Rufai alleges that you raised your voice and said you would not tolerate a woman dictating what you can and cannot do, that you intimidated Ms Rufai by pointing at her, that you shouted loudly, used abusive language, and banged on doors and laundry equipment. Ms Rufai alleges that then, you violently pushed the fire door directly into her causing her to fall backwards, at which point you stood over her and shouted further abuse, and prevented her from getting up and whilst recording her. The police were called but you had already left the communal area by the time the police arrived. The incident was witnessed by another member of staff, Babs Olosun, who has backed up Ms Rufai's series of events. Other accusations involve on or around 27 May, you were reportedly seen in the communal walkway wearing only "short knickers", yelling and swearing in front of other residents' grandchildren. On the same weekend, you are accused of being seen half naked in the middle of the road near the property, controlling the traffic, and then throwing rubbish in the communal area through your window. On 13 May you reportedly went to the office holding a long iron bar and demanded changes to the laundry rota.

We have not taken full instructions from you regarding your responses to the allegations against you. However, you deny that the incident on 27 April happened in the way that your landlord has described. You said that you attended the communal area because it was your laundry day. You went in, checked if the machine was in use, went back to your flat, sorted out some clothes and washing powder, went back to the communal area and found another resident there. You were then informed that the laundry rota had changed. You said that there was no shouting and that when you went to open the fire door, Jummy Rufai was took behind it and said "ow". You said that your CCTV shows you coming and going and that you had clothes in your hands the whole time. You said that your CCTV shows that you were walking and not running. You said that you tried to record the incident but I have not heard any of these recordings. You said that you record your interactions with your landlord because they have accused you of things that you deny, so you feel unsafe.

You have sent some clips of CCTV which appear to show the stairs leading up to your flat, the hallway in your flat, and outside of your window. However, it is not clear what exactly the clips you have sent are supposed to show.

Your landlord has received some information from the police that confirms you have a criminal record.

You have previously been diagnosed with schizophrenia. You said that your GP has signed you off as being fine and so you are not currently taking any medication or receiving any support. Over the last few days you have been contacted by a lady called Olivia from Lambeth's mental health team regarding support. You are considering taking up this offer. You told Emily that you have recently been assessed

by a social worker, Miriam Hargreaves, and a psychiatrist called Zoe. You said that both assessments concluded that you do not currently have any health issues requiring support at present. You have not been able to provide any documents regarding these assessments, although I have seen an email from Miriam Hargreaves which says you are not currently eligible for any services.

Your landlord says that they have made a safeguarding referral to Lambeth Single Point Access for mental health support, but that you declined the services. They also confirmed that you are known to the Community Mental Health Team.

You also suffer from arthritis and you think that is why you're in sheltered accommodation. You were previously in temporary accommodation and you then bid for your current property.

On 18 May 2022 Sharnay Hamilton, Income Maximisation Officer, arranged an appointment for you to sign up for an alternative property at 75 William Bonney Estate. You did not turn up to the first appointment so a second one was made, which you also did not attend. It appears that in any event, Lambeth no longer consider that a property in the Borough will be suitable for you.

MY ADVICE

Legal position – anti-social behaviour injunction

The local authority (or a housing association under its housing management powers) can apply to the court for an injunction forbidding someone from doing certain things or acting in a certain way for a certain period of time (known as an Anti-Social Behaviour Injunction or ASBI). The local authority or housing association can also ask the court to exclude a person from his home for a set period of time and can now ask the court to set positive obligations on the person (such as attending counselling sessions or drug and alcohol courses).

Before a court can make an injunction it must be satisfied that on the balance of probabilities:

a) The person is engaging, has engaged or has threatened to engage in conduct that is capable of causing harassment, alarm or distress to any person; nuisance or annoyance to a person in relation to that person's occupation or residential premises; or housing-related nuisance or annoyance to any person; AND

b) It is just and convenient to grant an injunction to prevent the person from engaging in that anti-social behaviour.

If the court is satisfied that the above conditions are in place it can make an injunction prohibiting certain action and/or requiring the person to do something. It can also attach a power of arrest to the injunction if the court decides that the conduct includes the use or threatened use of violence or there is a significant risk of harm to others.

The injunction does not have to be for a specified period of time although most courts set a date when the injunction will expire. A local authority or housing association can apply for this date to be extended before the injunction expires.

If an injunction is made and the person does not keep to the terms of the injunction then he could be found guilty of contempt of court and possibly sent to prison or given a fine as a punishment.

Before starting the injunction proceedings the local authority or housing association should act in a reasonable way under its public law duties. This should include speaking to the parties involved in the complaints; trying to resolve the issues without going to court; considering asking the person to sign a good behaviour contract and so on. The local authority or housing association may also have its own policies in place for how they deal with complaints about anti-social behaviour. If the local authority or housing association acts against those policies then the person may have a defence to the injunction proceedings on the basis that the local authority or housing association has acted unlawfully.

If the individual's behaviour is as a result of a disability then the public authority should also comply with its duties under the Equality Act 2010 towards the individual as a disabled person. This could include making reasonable adjustments to its policies or actions when looking to resolve the complaints or behaviour issues.

Where an individual does not have the mental capacity to comply with the proposed terms of an ASBI then the court should not make an ASBI against the person.

As an alternative to the making of an injunction, courts may accept an undertaking from the person not to behave in a certain way in future. If the court accepts an undertaking from the person then none of the allegations against the person will have been "proved". This means that if the local authority or housing association asks the court to make an injunction in the future they would still need to prove that the person behaved in the way they have alleged.

Making an undertaking to the court is still very serious. This is because if the person does not keep to his undertaking the local authority or housing association can ask the court to make an order to send the person to prison.

Please note that the law has recently changed so that if an individual breaches an anti-social behaviour injunction, the landlord of the person's home or where they are

visiting can rely on that breach to bring possession proceedings against the tenant on a mandatory ground. This means that a judge would have no choice but to make a possession order and the tenant and family members would be evicted from their home. This is why it is very important that if an injunction is made, a person does not breach the terms of the order.

Legal position – breach of ASBI

Where a court has made an order, including any injunction or ASBI, the person named in the ASBI is expected to obey the court as set out in the ASBI. Where the person does not obey the ASBI by breaking the terms, the person who applied for the ASBI can apply to the court for the person subject to the ASBI to be punished for breaking the order. This is known as being in contempt of court.

Where the ASBI has a power of arrest attached the local authority (or person who applied for the ASBI) must make sure that the ASBI and power of arrest is properly served on the person named in the order. Until they are so properly served the police cannot lawfully arrest someone for breach of the ASBI.

Once a person is arrested by police officers for an alleged breach of an ASBI they must be brought before a civil court within 24 hours of their arrest. The court must then decide whether the person has in fact breached the ASBI; and if so, what punishment should be imposed.

Where the person does not admit breach of the ASBI the court will usually adjourn (postpone) the hearing for a few days to give the person time to put in evidence to the court and the other side to support his case. At the final hearing often the court will hear the evidence of witnesses on behalf of both the local authority and person who is alleged to have breached the ASBI. At a final hearing a judge would then weigh up the evidence and make a decision as to whether the breach had been proven beyond reasonable doubt.

If the court decides that the person has breached the ASBI the judge can impose a prison sentence or a fine. The prison sentence can be suspended. The judge does not have the power to impose home detention, house arrest, electronic tagging, or any other form of punishment available in the criminal courts. The maximum sentence of imprisonment is two years.

When deciding which punishment is appropriate the judge will consider all the circumstances of the case and the person’s individual situation. This will include consideration of the reason for the breach; the severity of the breach; whether there have been previous breaches; any medical condition the person has; and the impact on their employment or education. These are known as mitigating factors.

If a court decides to impose a custodial sentence and it is not suspended the court will arrange for the person to be sent to prison directly from court.

In relation to the term that will actually be served by the prisoner, the law says that for civil contempt cases the prisoner will serve half of his term if he was given a term of less than 12 months.

Merits of your case

I do not have enough information at present to be able to advise you on your chances of getting the ASBI discharged. However, I believe you may have a moderate chance for the following reasons:

- It does not appear that your landlord has exhausted all other options prior to bringing this case to Court;
- You largely deny the allegations and claim that you have proof via CCTV and recordings. However, I have not seen this proof yet;
- You have previously been diagnosed with schizophrenia. You are currently not taking any medication or receiving any support with this. You have explained that you don't need medication or support at present. However, we must explore whether or not your mental health issues have an impact on the anti-social behaviour that you are accused of. It may be the case that you are unable to comply with the terms of injunction based on your mental health issues.

My advice on the merits of your case are likely to change depending on the evidence the local authority send to me and what evidence you can obtain to challenge their claim.

Depending on the strength of the evidence, a positive outcome for your case may be for you to give an undertaking to the Court as an alternative to the injunction. This would be positive in the sense that the Court will not have made any findings of fact and there will be no Order made against you. We will advise you further on this once we have taken full instructions from you.

AGREED ACTION

We have applied for a Legal Aid Certificate on your behalf.

We have considered the paperwork that you brought into the office.

NEXT STEPS

We will write to your landlord to request all of the papers in your case. We will then consider the same.

As we agreed, we will write to your GP and other medical professionals to gather information about your medical history and current circumstances.

As Emily explained, it may become necessary for us to instruct an expert psychiatrist to carry out an assessment of you and provide a report.

You told Emily that you are happy for us to contact your landlord and medical professionals to obtain information. You are also happy to attend an appointment with an expert psychiatrist if necessary.

We will consider any evidence that you send to us.

Once we have received all the papers, we will meet with you to go through the accusations and take your full instructions. We have proposed that this meeting takes place on the afternoon of 9 August 2022 at our Mile End Road office.

Once we have taken your instructions, we will prepare a witness statement on your behalf. You will need to go through the witness statement to confirm its accuracy.

We will instruct a barrister to attend the hearing on 24 August 2022 (so long as there is funding in place).

In the meantime, it is very important that you do not engage in any anti-social behaviour. The injunction currently remains in place and you could therefore be arrested should you be accused of engaging in or threatening violence, damaging property, or causing nuisance or annoyance.

Declaration by Applicant

I declare that the information given by me is correct to the best of my knowledge and that I am entitled to apply for access to the health record referred to under the terms of the Data Protection Act 2018.

Please tick one of the following:

[ ] I am the patient.

[ ] I have been asked to act by the patient and attach the patient's written authorisation.(The patient has signed the patient authorisation section below and has provided a copy of photographic ID as proof)

[ ] I have been appointed by the court to manage the affairs of the patient and attach confirmation of my appointment.(i.e. Lasting Power of Attorney)

[ ] I have parental responsibility for the individual and attach a copy of the child's full birth certificate.

[x] I have appointed the following Solicitor/Agent/Insurance Company to act upon my

Behalf ___TV Edwards LLP_____.

[x] I understand that by filling in and signing this form gives PCSE permission to disclose copies of my medical records. Please provide the Solicitor/Agent/Insurance Company copies of the medical record in line with the Data Protection Act 2018 within one month.

(We are unable to accept typed names as signatures, please sign by hand or e-signature)

Your Signature: .....

Print Your Name: .....Oliver Bernard.....

Date: 25/07/2022.....

Any information you have supplied in making this request will be treated in confidence. It will only be used for the purpose of carrying out your request in accordance with the Data Protection Act 2018. After your request is completed your information will be retained for a statutory time period (currently 6 years), after which date it will be securely destroyed.

Patient Authorisation* (for use when appointing another individual to act and receive the records on your behalf)

I hereby authorise NHS England to release any health records that they may hold relating to me to TV Edwards LLP, to whom I have given consent to act on my behalf.

(We are unable to accept typed names as signatures, please sign by hand or e-signature)

Signature of Patient: ..... Date: 25/07/2022

*(If you are using an authorised representative to make your application, you need to be aware that in doing so they may gain access to all health records about you. If this is a concern, it is your responsibility to inform them of what information you wish them to request specifically).

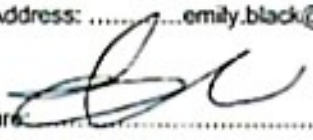
Consent to email your completed request

PCSE are now able to complete requests and send records electronically via secure email. Please confirm you wish to receive the records via secure email and specify the email address that the records should be sent to.

[x] I confirm I am happy to receive the outcome of my request via email to the below email address.

(We are unable to accept typed names as signatures, please sign by hand or e-signature)

Email Address: .....emily.black@tvedwards.com.....

Signature:  .....

Any Information you have supplied in making this request will be treated in confidence. It will only be used for the purpose of carrying out your request in accordance with the Data Protection Act 2018. After your request is completed your information will be retained for a statutory time period (currently 6 years), after which date it will be securely destroyed.

STATUS - INCOMPLETE Date: 26/07/2022 14:01:18

Primary Care Support England

NHS England

Subject Access Request

Your unique reference code PCE5363668

- Your Details ✓
- Subject Access Request ✓
- Check & Save

Your Details

Please select in what capacity you are submitting this request

Solicitor

Is your request regarding a deceased person

- ( ) Yes
- (•) No

Subject Access Request

Enquiry Details

Are you applying on behalf of someone else?

- (•) Yes
- ( ) No

Patient First Name

Oliver

Patient Surname

Bernard

Patient Date of Birth

12/10/1965

Patient Contact Number

07908 404 232

Patient Email Address

n/a

Patient Postcode

SW4 7BQ

Select Address

SW4 7BQ, 30, Carfax Place, London
SW4 7BQ, 31, Carfax Place, London
SW4 7BQ, 32, Carfax Place, London
SW4 7BQ, 33, Carfax Place, London

Patient Address

33 Carfax Place,
London

Postcode *

SW4 7BQ

Date Range of Records Required

From date

12/10/1965

To date

26/07/2022

Please provide any additional information
Character limit 2000. If the information does not fit then please submit the information using a Word document and upload using the supporting document upload below.

This firm is acting for Mr Bernard in injunction proceedings brought against him by his landlord. We enclose a signed form of authority authorising us to contact you.

We understand that Mr Bernard suffers from both physical and mental health issues. In order to assist Mr Bernard in this matter, we are writing to request a copy of his medical records which should detail all current and past diagnoses and medications.

The next hearing in this matter is due to take place on 24 August 2022. We would therefore be very grateful for these records to be sent to us as soon as possible and in advance of 24 August.

Please send the records to Emily Black at emily.black@tvedwards.com.

We understand that under the changes brought in by GDPR, our client no longer has to pay for the production of these medical records. Please confirm.

Applicant Details

Applicant First Name

Emily

Applicant Surname

Black

Applicant Email Address

emily.black@tvedwards.com

Applicant Contact Number

0203 440 8329

Applicant Postcode

E1 4TP

Select Address

E1 4TP, Regent Property Services, Unit 4, 9, Mile End Road, London
E1 4TP, Subway, Unit 2, 9, Mile End Road, London
E1 4TP, T V Edwards Solicitors, T V Edwards, 35-37, Mile End Road, London
E1 4TP, T V Edwards, 35-37, Mile End Road, London

Applicant Address

T V Edwards
35-37 Mile End Road
London

Postcode *

E1 4TP

Relationship to Patient

Other

Please provide a description of your relationship to the patient

Lawyer

Add|Remove

Upload Signed and dated Authorisation by Patient
This is not required if applicant has Power of Attorney (power of attorney document must be provided), Parent of minor/child under 12 (copy of birth or adoption certificate must be provided) or court appointed representative (copy order/appointment must be provided).

Max size 3.1 MB (Types: bmp, doc, docx, gif, jpg, ods, odt, pdf, png, rtf, txt, tif, xls, xlsx)

Delete File NHS consent form.pdf

Upload Signed and dated declaration by Patient

Max size 3.1 MB (Types: bmp, doc, docx, gif, jpg, ods, odt, pdf, png, rtf, txt, tif, xls, xlsx)

Delete File S45BW-5e22071515200.pdf

Download Authorisation form here

Photo ID

Add Photo |Remove

Upload Photo ID (refer to help information below).

Max size 3.1 MB (Types: bmp, doc, docx, gif, jpg, ods, odt, pdf, png, rtf, txt, tif, xls, xlsx)

Delete File Passport OB_12209629_1.pdf

We only require photocopies of identification documents:

- **One form of photo personal ID**

AND

- **One proof of current home address**

Acceptable Photo Personal Identity Documents:

• Current UK (Channel Islands, Isle of Man or Irish) passport or EU/other nationalities passports.
• Passports of non-EU nationals, a visa or a UK residence permit showing the immigration status of the holder in the UK
• Current UK (or EU/other nationalities) Photo-card
Driving Licence (providing that the person checking is confident that non-UK Photo-card
Driving Licences are genuine)
• A national ID card and/or other valid documentation relating to immigration status and
permission to work*.

Where the applicant is not able to provide acceptable photographic ID the following must be provided:-

• One form of non-photographic personal identification and one document confirming the address must be provided from different sources.

AND

• A passport sized photograph, endorsed on the back with a signature of a 'person of standing' who
has known them for at least 3 years (e.g. magistrate, medical practitioner, officer of the armed
forces, teacher, lawyer or civil servant)

Any document not listed above is not an acceptable form of identification e.g. organisational ID card.

Acceptable NonPhoto Personal Identity Documents

• Original birth certificate (UK birth certificate issued within 12 months of the date of birth in full form including those issued by UK authorities overseas such as Embassies High Commissions and HM Forces)
• Current full driving license (old version); (provisional driving licenses are not acceptable)
• Residence permit issued by Home Office to EU Nationals on inspection of own-country passport
• Adoption certificate
• Marriage / civil partnership certificate
• Divorce or annulment papers
• Police registration document
• Certificate of employment in HM Forces
• Current benefit book or card or original notification letter from the Department of Work and Pensions (DWP) confirming legal right to benefit
• Most recent HM Revenues and Customs (previously Inland Revenue) tax notification
• Current firearms certificate
• Application Registration Card (ARC) issued to people seeking asylum in the UK (or previously
issued standard acknowledgement letters, SAL1 or SAL2 forms)
• GV3 form issued to people who want to travel in the UK without valid travel documents
• Home Office letter IS KOS EX or KOS EX2
• Building industry subcontractor's certificate issued by HM Revenues and Customs (previously
Inland Revenue)
• EEA member state identity card

Add Address |Remove

Upload Proof of Address (refer to help information below)

Max size 3.1 MB (Types: bmp, doc, docx, gif, jpg, ods, odt, pdf, png, rtf, txt, tif, xls, xlsx)

Delete File Full Halifax 12009967_12162090_1.pdf

To confirm address, the following documents are acceptable:
• Recent utility bill or a certificate from a supplier of utilities (Telephone (landline phone), Water, Electricity or Gas) confirming the arrangement to pay for the services on pre-payment terms (note: mobile telephone bills will not be accepted).
• Utility bills in joint names are permissible;*
• Local authority council tax bill for the current council tax year;
• Current UK photo card driving licence (if not already presented as a personal ID document);
• Current Full UK driving licence (old version) (if not already presented as a personal ID document);
• Bank, building society or credit union statement or passbook containing current address;
• Most recent mortgage statement from a recognised lender;*
• Current local Council tenancy agreement;
• Current Private tenancy agreement
• Current benefit book or card or original notification letter from Department of Work and Pensions
(DWP) confirming the rights to benefit;
• Confirmation from an electoral register search that a person of that name lives at the claimed address;*
• Court Order.*
• Parental Court Order ;
• HMRC self-assessment letters or tax demands dated within the current financial year;
• Medical card or letter of confirmation from GP's practice of registration with the surgery.

The date on these documents must be within the last 6 months (unless there is a good reason for it not to be e.g. clear evidence that the person was not living in the UK for 6 months or more) and they must contain the name and address of the applicant.

We will accept the overseas equivalent of the above documents for claimants who live abroad.

Documents we will not accept include, but are not limited to:

- Provisional driving license
- Mobile phone bills
- Credit or store card statements

Copies of documents & Certificates:

We would prefer that you do not send original documents of identity when submitting your application. We will accept clear and legible quality copies of certificates and identification documents and where required, which have been certified by one of the following as a true copy of the original that they have seen.

Note: Certifications are only required if you are unable to provide the required identification i.e. due to homelessness, immigration status issues, in prison etc.

Please also note that this is not an exhaustive list and all cases are considered on a case by case basis therefore, it is important that you provide supporting information/documentation (if you are able) to support your application and reasons why you are unable to provide the standard identity documents. This will also allow us to process your application effectively and avoid any delays.

Within the UK:
- A practising solicitor (in which case, they should state their name and qualification as well as the name and address of the firm in which they are employed)

- The Post Office's ID checking service (in which case, please also include the completed ID Checking Service form which has been stamped by the Post Office)

Outside the UK:
A Notary Public registered in their country of residence who should provide an Apostille certificate for each document.

Supporting Documents

Add Document |Remove

Dr Sajid Suleman

MBBS MRCPsych DPP MSc

Consultant, General Adult Psychiatry

Expert in Mind

Essential in uniting professionals

SPECIALISMS

ADHD (Diagnosis)
ASD (Diagnosis)
ADD (Diagnosis)
Asperger's (Diagnosis)
ADHD, ASD, ADD, Asperger's
Addiction
Anxiety / Depression
Antisocial Behaviour
Bereavement
Bipolar
Capacity
Chronic Pain
Cultural Diversity
Custody
Domestic Violence
Drug/Alcohol/Substance Misuse
Eating Disorder
Fabricated Illness / Munchausen
Historic Sex Abuse
Learning Difficulties / Disabilities
Mood Disorder
Neglect
Non-Accidental Injury
OCD
Paedophilia
Pain Management
Perinatal
Personality Disorders
Postnatal Depression
Psychosexual
Psychosis
Psychosomatic
PTSD / Trauma
Risk
Schizophrenia
Self Harm
Sex Change
Sex offenders
Sexual Abuse Victims
Suicidal Ideation
Trafficking
Victims of Torture

CASE TYPES

ADHD / ASD
Clinical Negligence
Coroner's Reports
Criminal
Disability Discrimination
Employment Tribunal
Family
Fitness to Plead
Historic Sexual Abuse
Housing
Immigration & Asylum
Litigation Capacity
Occupational Health
Personal Injury / RTAs
Risk Assessments
Second Opinion
Testamentary Capacity

EXPERT WITNESS EXPERIENCE

I have extensive experience of providing independent expert evidence in Family, Civil and Criminal courts & Employment tribunals. I produce approximately 90 reports per year. I am a member of Academy of Experts.

Family Court Proceedings

I have experience of providing expert evidence in the form of written reports as well as oral evidence. I have special interest in assessing the impact of chronic mental illnesses and personality disorders on parenting abilities and assessing risk.I also have extensive training and expertise in assessment and management of adult Autism Spectrum Disorders (ASD) and adult Attention Deficit Hyperactivity Disorders (ADHD) and their impact on parenting abilities.

Criminal Proceedings:

I am trained in assessing impact of mental disorders on crime. I have extensive experience of assessing fitness to plead, stand trial, capacity to form intent, sentencing and disposal options. I am experienced in providing oral evidence at trials. I have provided reports for the Crown Prosecution Service, and for defendants.

Civil Proceedings:

I have provided reports for personal injury claims. I am expert in assessing psychological consequences of physical injury, emotional stress and PTSD.
I have provided reports for both claimants and defendants. I also have experience of assessing disability under the Equality Act 2010.

Employment Tribunals

I have experience of providing independent expert reports for employment tribunals. I have provided oral evidence in tribunals.

Immigration Tribunals

I have provided several reports for immigration cases and have assessed the impact of trauma on mental health

Mental Health Act Tribunals

I am a medical member of the mental health act tribunals and sit on tribunals across London. I also provide independent reports for the mental health act tribunals.

Housing and Eviction Proceedings

I have provided many reports for housing cases &eviction proceedings. I am able to assess capacity to conduct proceedings &Wookey capacity.

Unit G03, High Weald House,
Glovers End, Bexhill on Sea,
East Sussex, TN39 5ES

01424 444130

office@expertinmind.co.uk

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QUALIFICATIONS

FRCPsych. October 2018	The Royal College of Psychiatrists UK
MSc in Psychiatric Research September 2006	Institute of Psychiatry, Kings College London
MRCPsych December 2003	The Royal College of Psychiatrists UK
Diploma in Psychiatric Practice (DPP) January 2000	Guy's, Kings and St. Thomas' (GKT) Medical and Dental School, King's College London and Ain Shams University Cairo.
M.B.B.S. December 1993	

EXPERIENCE IN PSYCHIATRY

Current Roles

Consultant Psychiatrist
Psychiatric Intensive Care Unit, Cygnet Hospital Blackheath London
30 November 2018 to date

I am working on a 15 bedded psychiatric intensive care ward at Cygnet Hospital Blackheath. I am responsible for day to day care of the admitted patients. I am also responsible for attending Mental Health Tribunals, teaching and training of the staff. I also contribute to the clinical governance.

Medical Member of the Mental Health Act Tribunals
January 2015 to date
I started my role as Medical Member of the Mental Health Act Tribunals by Ministry of Justice (MOJ) in 2015. I have been sitting on MHA Tribunals since January 2015 which has provided me with experience of legal and ethical issues of detention criteria. I am also receiving excellent regular training.

Deputy Chair of the Critical Review MRCPsych Exam Writing Panel
2015 to date (member since 2008)
I write questions for the critical review part of MRCPsych Examination and contribute to setting of MRCPsych paper B. I also contribute to the recruitment to critical review panel.

Deputy Reginal Advisor London Division, The Royal College of Psychiatrist
2015 to date (Regional Representative since 2010)
I check and approve consultant psychiatrist and staff grade psychiatrist jobs on behalf of Royal College of Psychiatrists

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PREVIOUS EXPERIENCE

I worked as a Consultant Psychiatrist at South London & Maudsley NHS Foundation Trust from May 2008 to September 2018 (Substantive from March 2008 to September 2018)

My Roles were:

Consultant Psychiatrist
Acute inpatient psychiatric ward (Wharton Ward) Ladywell Unit, University Hospital Lewisham London
May 2008 to September 2018 (Substantive from March 2008 to September 2018)
I worked as a consultant on Wharton ward Ladywell unit University Hospital Lewisham which is 18 bedded acute psychiatric ward. I initially worked as a sector consultant managing patients on inpatient ward and in the community (from May 2008 to May 2014). From May 2014 to September 2018 I worked full time on acute inpatient ward.

My responsibilities included assessment and management of patients, attending mental health act tribunals and managers' hearings and providing clinical leadership to the team. I was also a clinical supervisor for a CT trainee, a GP trainee and a ST trainee (specialist registrar) working with the team. I was also involved in the management of the ward and training of staff. I actively participate in research and audit.

Honorary Senior Clinical Lecturer, Institute of Psychiatry Kings College London
2016 to 2018
I was involved in teaching of psychiatrists, medical students and MSc students at the Institute of Psychiatry, Kings College London.

Consultant Psychiatrist South Lewisham Support & Recovery Mental Health Team
The Northover Centre, 98-102 Northover Downham BR1 5JX
May 2008 to May 2014 (substantive from March 2009 to May 2014)
I worked as a consultant psychiatrist in the community (South Lewisham Support & Recovery Team) as well as with working on inpatient ward. The adult population of the sector was 64,000 with ethnic minorities making up 16% of the population. The Continuing Care Team had case load of approximately 210 patients with severe and enduring mental illnesses. I conducted home visits, CPAs and outpatient clinics. I also conducted mental health act assessments in the community & attended CTO tribunals. I provided clinical leadership to the team & was involved in training of staff. I was clinical supervisor of specialist registrar working in the team. All my community work was open and transparent to audit.

Consultant Lewisham Adult Autism Spectrum Disorders Clinic Ladywell Unit, University Hospital Lewisham London South London & Maudsley NHS Foundation Trust
July 2010 to September 2018
I was involved in setting up Lewisham Adult Autism Spectrum Disorders (ASD)/Attention Deficit Hyperactivity Disorders (ADHD) Clinics and worked as a lead consultant at Lewisham Adult Autism Spectrum Disorders Clinic. I conducted specialist adult autism spectrum disorders assessments in the community using clinical assessments, ADI-R and ADOS at weekly Lewisham Adult ASD clinic. I also conducted comorbid Adult ADHD assessments using DIVA. I was involved in screening of referrals and scoring of ASD screening questionnaires. I provided specialist opinion to consultant colleagues for their patients in the community or on acute inpatient psychiatric ward. I also conducted ASD and ADHD assessments on acute inpatient wards. I provided specialist opinion for patients admitted to inpatients on acute psychiatric ward. I was involved in developing Autism Support Services in Lewisham and provided leadership to the ASD services.

Dr Sajid Suleman

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Consultant, General Adult Psychiatry

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TRAINING POSTS

Training of Adult Autistic Spectrum Disorders Assessments (2008 to 2009)
National Behavioural Genetics Clinic
South London & Maudsley NHS Foundation Trust Maudsley Hospital Denmark Hill London
I obtained training of adult autism spectrum disorders assessments at National Behavioural Genetics Clinic Maudsley Hospital London. I was involved in multidisciplinary assessments of ASD and writing reports. I have also received training in ADI-R (Autism Diagnostic Interview) and ADOS (Autism Diagnostic Observation Schedule).

Higher Specialist Training General Adult Psychiatry
London deanery Guys, Kings, St Thomas Hospitals/South Thames Training Scheme (Three Years)
I worked as a Specialist Registrar from 2005 to 2008. During this time I obtained higher specialist training in community psychiatry, inpatient psychiatry, forensic psychiatry and liaison psychiatry. I also worked on Psychiatric Intensive Care Unit (PICU). I also completed MSc in psychiatric research during this time. My posts were as follows

SpR Liasison 01.10.07 –02.09.08
Ladywell Unit University Hospital Lewisham/South London & Maudsley NHS Foundation Trust

SpR inpatient & Community Psychiatry 01.10.06– 30.09.0
Lloyd Still Ward St Thomas Hospital / South London & Maudsley NHS Foundation Trust

SpR Forensic Psychiatry 01.10.05 - 30.09.0
Bracton Medium Secure Unit / Oxleas NHS Foundation Trust

SpR Community Psychiatry 01.04.05 –30.09.0
North West Southwark CMHT/South London & Maudsley NHS Foundation Trust

SPECIAL INTEREST EXPERIENCE

Lambeth Drug and Alcohol Treatment Services Marina House 63-65 Denmark Hill, London, SE5 8RZ April 2005 to September 2005

Court Liaison Experience Greenwich Magistrate Court
October 2005 to September 2006 Greenwich Magistrate Court London

Higher Specialist Training Learning Disabilities Psychiatry London Deanery, Specialist Registrar
October 2004 to March 2005, Greenwich Learning Disabilities Team/ Oxleas NHS Foundation Trust

Associate Specialist, Assertive Outreach team
February 04 –September 04, Bromley Assertive community Treatment Team/Oxleas NHS Foundation Trust

Specialist Postgraduate Psychiatry Training (Four Years) Guys, Kings, St Thomas Hospitals/South Thames Training Scheme (2000 to 2004)

Private Sector Experience
I worked in a low secure psychiatric inpatient unit in the community (Lanes Project Foxley Lane Croydon) from 2010 to 2014.
I am currently working in Cygnet Hospital Blackheath managed by Cygnet healthcare.

Dr Sajid Suleman

MBBS MRCPsych DPP MSc

Consultant, General Adult Psychiatry

Expert in Mind

Essential in uniting professionals

ACADEMIC RESPONSIBILITIES

I am Deputy Chair of MRCPsych. Exam Writing Panel for Critical Review The Royal College of Psychiatrist since (I have been a panel member since 2008).

Critical Review Teaching Maudsley MRCPsych Course (4 lectures a year) - 2013 to date. 3: MRCPsych Exam Critical Review Revision Course (Two courses a year) -2013 to date. 4: Medical Student Teaching (GKT medical students

Ex-CESR (Certificate of Eligibility for Specialist Registration) Evaluator of the Royal College of Psychiatrist.

Ex-Educational Supervisor for SIX CT psychiatry trainees London Deanery.

Ex-Educational supervisor of THREE Higher Specialist psychiatry trainees London Deanery.

Ex-Supervisor MSc Mental Health Students of Institute of Psychiatry Kings College London.

Ex-Recruitment Panel Member CT & Higher Specialist Trainees London Deanery/National Interview Panels.

RESEARCH/PUBLICATIONS

"Switching from oral atypical antipsychotic monotherapy to paliperidone palmitate once-monthly in non-acute patients with schizophrenia: A prospective, open-label, interventional study"-*Psychopharmacology, DOI 10.1007/s00213-016-4445-0 Accepted3 September 2016.*

"Does adding the Autism Quotient as a screening measure increase cost-effectiveness of a local adult autism diagnostic clinic?"-*Submitted XI Autism-Europe International Congress 2016.*

"Teaching, learning and assessing evidence based psychiatry"-*The Psychiatrist* 2011 35: 192-195

"Psychotic mania induced by the withdrawal of pegylated interferon and ribavirin treatment."-*British Journal of Hospital medicine 2009 Apr; 70(4):233.*

"6-month, open label, prospective, multicenter, international study of a transition to flexibly dosed paliperidone palmitate in patients with schizophrenia previously unsuccessfully treated with oral or long-acting injectable antipsychotics."-*Phase 3 drug trial - Principle Investigator 2009.*

"24-month, prospective, randomized, active-controlled, open-label, rater-blinded, international study of the prevention of replace comparing long-acting injectable paliperidone palmitate to treatment as usual with oral antipsychotocs monotherapy in adults with schizophrenia"-*Phase 3 drug trial-Co-investigator 2008.*

"Advance Directive in Medicine and Psychiatry"-*Systematic Review MSc research essay 2006.*

office@expertinmind.co.uk

Unit G03, High Weald House,
Glovers End, Bexhill on Sea,
East Sussex, TN39 5ES

01424 444130

Dr Sajid Suleman
MBBS MRCPsych DPP MSc
Consultant, General Adult Psychiatry

Expert in Mind
Essential in uniting professionals

REGISTRATION STATUS

General Medical Council (number 5184442). CCT in General Adult and Liaison Psychiatry.

Mental Health Act 1983, Section 12(2) Approved Doctor.

Royal College of Psychiatrist Continuing Professional Development Certificate of Good Standing.

Member Medical & Dental Defence Union of Scotland (MDDUS).

CCT (Certificate of completion of Training) in General Adult Psychiatry and Liaison Psychiatry.

Member of Academy of Experts.

ROYAL COLLEGE OF PSYCHIATRIST INVOLMENT

Deputy Chair MRCPsych. Critical Review Exam Writing Penal April (member since 2008).

Deputy Regional Advisor London Division of Royal College January 2013 to date.

Royal College Assessor consultant selection panels (Advisory Appointment Committee) since September 2014.

CESR (Certificate of Eligibility for Specialist Registration) Evaluator.

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Glovers End, Bexhill on Sea,
East Sussex, TN39 5ES
01424 444130

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SOLICITORS & ADVOCATES LLP

35-37 Mile End Road | London | E1 4TP

DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

By email only to: oliverbernard521@gmail.com

Telephone (24hours) 020 3440 8000 – EXT 8201
Fax 020 3357 9587
Email katie.brown@tvedwards.com

Direct Dial 0203 440 8201

Please ask for Katie Brown

Our ref. KBN/EBK/BER374/1 Your ref. 14 July 2022

Dear Mr Bernard

YOUR CASE

I write following your appointment with my colleague Emily Black on 4 July 2022.

I am a Solicitor & Partner and I will be responsible for the work done on your case. My work is supervised by Amanda Ford who is a solicitor. Most of the work on your case will be carried out by my colleague, Emily Black, who is a trainee solicitor. Emily should be your first point of contact and she can be contacted on 020 3440 8329 or emily.black@tvedwards.com.

TV Edwards offices are open from 9.30am until 5.30pm, Monday to Friday. My working hours are:

- Monday: 9am - 2.45pm
- Tuesday: 10.30am - 5.30pm
- Wednesday: 9.30am - 5.30pm
- Thursday: 9am - 2.45pm
- Friday: 9am - 2.45pm

Your case

It is important that you do not show this letter (or any other documents or letters I send you) to your landlord or any of their agents. Letters between a Solicitor and a client are confidential, and it may harm your case if they are shown to your opponent.

I enclose a New Client Advice Form which contains details of your instructions to me, my advice and action to be taken. I will present your case based on the information contained within the form so if there are any changes that need to be made please let me know.

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My advice, our agreed action and next steps

Please see the New Client Advice Form for my advice, agreed action and next steps to be taken in your case.

Important dates and timescale for your case

There is a hearing listed for 24 August 2022. I have not seen a notice of hearing yet so cannot confirm the time or court. This hearing will be for the court to reconsider your landlord's application for an exclusion order and to consider whether or not the injunction should remain in place.

We have arranged for you to come to our office at 35-37 Mile End Road on 9 August 2022.

It is difficult to estimate a timescale for your case but at present I consider that your case may take around six months to conclude.

Costs and funding of your case

I enclose a separate letter about the funding of your case, which I would ask you to read carefully.

How we will contact you and limitations on what action we can take on your behalf

We will write to you to confirm what has happened in your case and to tell you about developments as your case goes on. We normally keep you informed by sending letters to you. You will want to keep your letters safe so that other people cannot read them. If you do not want letters sent to you for any reason, please tell us as soon as possible.

We will only update you on your case where there have been specific developments. However, we will always advise you of the present position, if you make contact with us.

We can send you letters by email. If you have provided us with your email address, then we may communicate with you by email – unless you tell us you do not wish us to do so. It is not a good idea to receive letters by email unless you are sure no one else will be able to read them and that you will be able to keep a copy safe.

If you have provided us with your mobile phone number, we may also contact you by text message when it is appropriate to do so. Again, if you do not wish to be contacted in this way then please let us know.

It is important for you to remember that we are lawyers and the action we can take on your behalf is limited to dealing with legal issues including any actual, proposed or threatened Court proceedings. Further, if your case is funded by legal aid the Legal Aid Agency restricts what we can do to what is reasonable to progress your matter.

There will always be some things that need to be done that are administrative matters - for example, completing benefit application forms; making enquiries of local authority

departments; and making arrangements for contractors to carry out repair work in your home. This short list is just an example of such activities – there are many more. We can advise you about such matters if appropriate but they are activities that you must carry out yourself.

Please also note that we are a busy practice. We aim to give the best service we reasonably can to all of our clients. Many of our clients' cases can become urgent at any time, and we have to ensure urgent work is covered. This may mean that there are occasions when we cannot work on other clients' cases as quickly as they would like. However, we will always ensure that all clients' interests are protected and cases progressed in a reasonable timeframe.

Concerns and Complaints

We aim to provide a high quality legal service to our clients. When something goes wrong we need to know about it so that we can try to put things right and improve our standards.

Concerns

If possible, we believe that it is best to deal with concerns straight away rather than sort them out later. If you have a concern about the way your case is being handled then in the first instance you should raise this with your lawyer's Supervisor. The name of the Supervisor can be found on the first page of this letter. He or she will try to resolve any concern you have as quickly as possible and in any event within 10 working days.

Formal Complaints

If the Supervisor is unable to resolve the problem then you can make a Formal Complaint to the Complaints Handler Jacky Starling. It does assist us if you put the complaint in writing but you can communicate with us in any way you wish. We will acknowledge any formal complaint within 5 working days and after a full investigation of the facts will normally provide a substantive response within 15 working days. If we need more time we will explain why. A copy of our Complaints Policy is available on request.

The Legal Ombudsman

If we are unable to satisfactorily resolve the problem, then you have the right to take the matter to the Legal Ombudsman. Before you approach the Ombudsman, you must usually have already made a Formal Complaint to us. Approaches to the Legal Ombudsman should be made within 6 months of receiving a final response from us and no later than 6 years from when the problem occurred or 3 years from when you became aware of it. Further detailed guidance is available at www.legalombudsman.org.uk.

The Legal Ombudsman can be contacted on 0300 555 0333 or at enquiries@legalombudsman.org.uk or by post at PO Box 6806, Wolverhampton, WV1 9WJ.

Lexcel

This firm has been awarded the Lexcel standard, which is the Law Society's quality mark, in recognition of our commitment to superior practice management and excellent client care. As a result of this, we are subject to periodic checks by outside assessors. We will assume you have no objection to your file being reviewed unless you tell us otherwise.

Duty of confidentiality and data protection

We are under a professional duty of confidentiality to you, and can only release information to third parties with your consent or if the law requires it. We comply with the General Data Protection Regulations (GDPR). Your rights as a data subject are contained in our Privacy Policy, which can be found on our website www.tvedwards.com or a copy can be sent to you at your request. The person at the firm responsible for data protection is our Data Protection Officer, Jacky Starling.

Other provisions

This firm has been awarded the Lexcel standard, which is the Law Society's quality mark, in recognition of our commitment to superior practice management and excellent client care. As a result of this, we are subject to periodic checks by outside assessors. We will assume you have no objection to your file being reviewed unless you tell us otherwise.

We work for you on special terms of business. These explain about limited liability and many other detailed matters. A copy of the terms of business can be found on our website www.tvedwards.com and we can always send you a copy if you ask us to do so. These terms of business apply to this case.

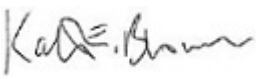
Please note that we advise on a wide range of issues, including Housing, Community Care, Court of Protection, Mental Health, Family, Personal Injury, Actions against the Police, Crime, Licensing, Property, Wills, and Probate. If you want to know more, please visit our website at http://www.tvedwards.com, or ask your legal adviser.

Marketing

As a client of TV Edwards LLP, we assume that you agree to opt-in to receive marketing communications from us on similar and related legal services provided by TV Edwards LLP. These communications will be by email. You may opt-out of these communications at any time using the "Unsubscribe" button featured clearly on our marketing emails or by emailing us at enquiries@tvedwards.com. Please be assured that if you choose to opt-out of receiving these communications, now or at any time, this will not affect the service that we provide to you.

Please do not hesitate to contact Emily on 0203 440 8329 if you have any queries about this letter or your case.

Yours sincerely



Katie Brown
Solicitor & Partner
For and on behalf of TV Edwards LLP

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SOLICITORS & ADVOCATES LLP

35-37 Mile End Road | London | E1 4TP

DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

By email only

Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 02 September 2022

Dear Mr Bernard

YOUR CASE

I am writing to let you know that I have now qualified as a solicitor and so will be taking over conduct of your case from Katie Brown. I will now be responsible for the work carried out on your case and will continue to be the main point of contact.

My contact details are the same as before. You can contact me by telephone on 0203 440 8329 and by email at emily.black@tvedwards.com.

My work will continue to be supervised by Katie Brown, who is a solicitor and partner in this firm.

I will also be assisted by Caroline Bird, who is a paralegal in this firm. You can contact Caroline if I am unavailable at any time. Caroline's contact details are 0203 440 8325 and caroline.bird@tvedwards.com.

Please do not hesitate to contact me if you have any queries about this letter or your case.

Yours sincerely

Emily Black
Solicitor
For and on behalf of TV Edwards LLP

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DX300700 Tower Hamlets | tvedwards.com

Mr O Bernard
33 Carfax Place
London
SW4 7BQ

By email only to: oliverbernard521@gmail.com

Telephone (24hours) 020 3440 8000 – EXT 8201
Fax 020 3357 9587
Email katie.brown@tvedwards.com

Direct Dial 0203 440 8201

Please ask for Katie Brown

Our ref. KBN/EBK/BER374/1 Your ref. 14 July 2022

Dear Mr Bernard

COSTS AND FUNDING OF YOUR CASE

I write following your appointment on 4 July 2022.

Emergency Certificate and Revocation Risk

You have signed an application for a Legal Aid Certificate for your case, including an application for an emergency certificate. This firm has granted you an emergency certificate (under the powers delegated to us by the Legal Aid Agency). This emergency certificate will allow us to do any necessary urgent work on your case, namely represent you at the hearing on 24 August and prepare a witness statement with you. After this work has been completed, I will not be able to do any more work on your case unless you are eventually granted a full certificate by the Legal Aid Agency. Also, the emergency certificate will end eight weeks from the date it was granted on 4 July 2022, unless the time limit is extended by the Legal Aid Agency or you are granted a full certificate.

As Emily explained, there is a risk to you when we grant you an emergency certificate. When the emergency certificate was granted, your financial circumstances were not investigated thoroughly. Instead, this firm made the decision on the information you gave us. If, when the Legal Aid Agency look at your case and financial circumstances in detail, it is discovered that you deliberately made an untrue statement about your financial situation or about your case, or that you are not financially eligible for a certificate, or if you do not reply to their enquiries, or pay any requested contributions from capital or income (see below), the Legal Aid Agency will be entitled to demand that you pay them all legal costs incurred since the date of the grant of the emergency certificate. Additionally, your opponent in any Court proceedings may seek an enforceable order that you pay their legal costs. Of course, you have nothing to worry about as long as you have given and do give full details of your financial circumstances to the Legal Aid Agency and correct information to your legal adviser about your case.

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This "revocation risk" (as it is known) also applies throughout the time you have any Legal Aid Certificate. It is therefore very important indeed that you inform the Legal Aid Agency and your legal adviser of any changes in your financial circumstances, and always give truthful instructions to your legal adviser.

Costs of Your Case

Subject to the statutory charge (see below), you are unlikely to have to pay anything for your legal costs, as your case is being funded by the Legal Aid Agency. If you lose your case, then the Legal Aid Agency will pay this firm for your legal costs. If you win your case, then your opponent is likely to be ordered to pay your legal costs and, if there is any shortfall, then that shortfall will be paid by the Legal Aid Agency.

However, there are some limited circumstances where, although you have a Legal Aid Certificate, if court proceedings have started, an order for you to pay your opponent's costs can be made against you. It is unlikely that you could be forced to pay those costs without permission from the court, and the court will only give permission if it is satisfied that you can afford to pay and that it is fair for you to have to pay.

Currently, the emergency certificate has a costs limitation of £2,250. This should be enough to cover the necessary urgent work. I estimate that the total cost of your case is likely to be around £10,000, excluding VAT.

Charging Rates for Our Costs

The charges of this firm will be calculated mainly by reference to the time spent by me and other solicitors and fee earning staff dealing with this matter. This includes advising, meeting with you and others, dealing with papers, correspondence, telephone calls, travelling and waiting time.

Our charges are based on an hourly rate. If we are paid by the Legal Aid Agency, we are paid at rates that are set by the Government. These range from £26.28 per hour for travel and waiting to £63 for time spent as set out above.

Routine letters sent are charged at £5.94 each and routine telephone calls are charged at £3.29 each.

Additionally, if any of the work has to be done very quickly or is very complicated, then we can claim a percentage increase in the set rates.

If your opponent is ordered to pay your legal costs, then we are entitled to charge those costs on the same basis as our "private" hourly rates, rather than the Legal Aid Agency rates set by the Government. The hourly rates vary depending on the seniority of the person dealing with the case, and the type of work we carry out for you. VAT will be added to the charges at the current rate applicable for both Legal Aid Agency rates or private rates.

Statutory Charge

I wish to remind you about the statutory charge, which Emily explained to you when you signed the application form for a Legal Aid Certificate. I also remind you to read carefully the leaflet you were given about the statutory charge.

If money or property is either "preserved or obtained" for you (for example, you are awarded compensation or retain your home and are an owner-occupier) whether as a result of settling the case or as a result of a court order, some or all of your legal costs may be deducted from the money or property. Usually, your opponent is ordered to pay your legal costs if you win. However, your opponent only has to pay your reasonable legal costs, and we are then entitled to be paid the shortfall by the Legal Aid Agency (for example, your opponent is usually not ordered to pay costs in connection with our correspondence with the Legal Aid Agency, as it is not felt to be reasonable for an opponent to pay these costs). If there is such a shortfall, then the Legal Aid Agency would keep an appropriate sum of money to cover the shortfall, and then send the rest of your compensation to you; or be entitled ultimately to put a charge over your property.

What Happens Next?

Like me, you should shortly receive an emergency certificate.

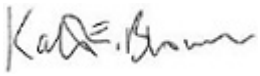
I have sent your application for a Legal Aid Certificate to the Legal Aid Agency. The Legal Aid Agency will look at both the merits of your case and your financial circumstances before making a decision as to whether or not to grant you a full certificate.

The Legal Aid Agency may contact you to ask for further financial information so they can assess your eligibility for a Legal Aid certificate. If they do this, it is important that you respond as soon as possible or you could delay the issuing of a certificate.

When you receive a full certificate, I will write to you again about the funding of your case.

Finally, I am aware that the funding of your case by the Legal Aid Agency can seem complicated. Therefore, if you have any questions, please contact me.

Yours sincerely



Katie Brown
Solicitor & Partner
For and on behalf of TV Edwards LLP

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Telephone (24hours) 020 3440 8000 – EXT 8329
Fax 020 3357 9587
Email emily.black@tvedwards.com

Direct Dial 0203 440 8329

Please ask for Emily Black

Our ref. EBK/BER374/1 Your ref. 25 November 2022

Dear Mr Bernard

END OF YOUR CASE

As you know, your case has now closed. I enclose for your records an Order from the Court removing this firm from the record as acting for you.

I will now claim this firm's costs from the Legal Aid Agency. Once this firm's costs have been paid, this file will be closed and put in storage for at least 6 years. During this time, it will not be reviewed, unless you contact us and we agree to do so. After that time, it may be removed and destroyed. If you need access to this file at any time in the future, please contact this firm quoting the reference at the top of this letter so that this file may easily be retrieved from storage.

This firm welcomes feedback from clients. Please therefore find enclosed a questionnaire for you to complete and return to us. For a more efficient way of providing your feedback why not complete our form online - https://tvedwards.com/contact/satisfaction-survey.

Yours sincerely

Emily Black
Solicitor
For and on behalf of TV Edwards LLP

Enc.

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CLIENT FEEDBACK QUESTIONNAIRE

As part of our commitment to improving the service we provide, we send our clients this feedback questionnaire. We should be grateful if you will help us by completing this form and returning it in the enclosed envelope (you do not need a stamp). Please be assured that the survey is completely confidential and unless you complete your details at the end, we will not know who has taken part. You may recall that **Emily Black** dealt with your enquiry/case.

Type of Case Crime/Family/Housing/Welfare Benefits/Community Care/Mental Health/Personal Injury/Probate/Wills/Buying or selling your home/Buying or selling your business/Other (Please specify)

_____

Q1 How satisfied were you with our overall level of service? PLEASE TICK ONE

Very satisfied	☐	Fairly dissatisfied	☐
Fairly satisfied	☐	Very dissatisfied	☐
Undecided	☐		

Q1a If dissatisfied, please tell us briefly why this is.

_____

Q2 Did we give you information/advice that was easy to understand? PLEASE TICK ONE

Very easy	☐	Fairly difficult	☐
Fairly easy	☐	Very difficult	☐
Undecided	☐		

Q2a How might we improve?

_____

Q3 How helpful did you find our staff? PLEASE TICK ONE

Very good	☐	Fairly poor	☐
Fairly good	☐	Very poor	☐
Undecided	☐		

_____

Q4 How well did we keep you up to date with progress? PLEASE TICK ONE

Very well	☐	Fairly poor	☐
Fairly well	☐	Very poor	☐
Undecided	☐	Not Applicable – one off advice given	☐

_____

Q5 Did we treat you fairly at all times? PLEASE TICK ONE

Yes ☐ No ☐ Don't know ☐

Q5a If you believe you were treated unfairly due to e.g. your ethnic background, sex religion or any other reason please tell us briefly what happened.

_____
_____
_____

Q6 Would you recommend us to someone else if they needed legal help or advice? PLEASE TICK ONE

Certain to	☐	Unlikely to	☐
Likely to	☐	Certain not to	☐
Undecided	☐		

Q7 Would you use T V Edwards LLP's services again? PLEASE TICK ONE

Yes	☐	No	☐

Why?

_____

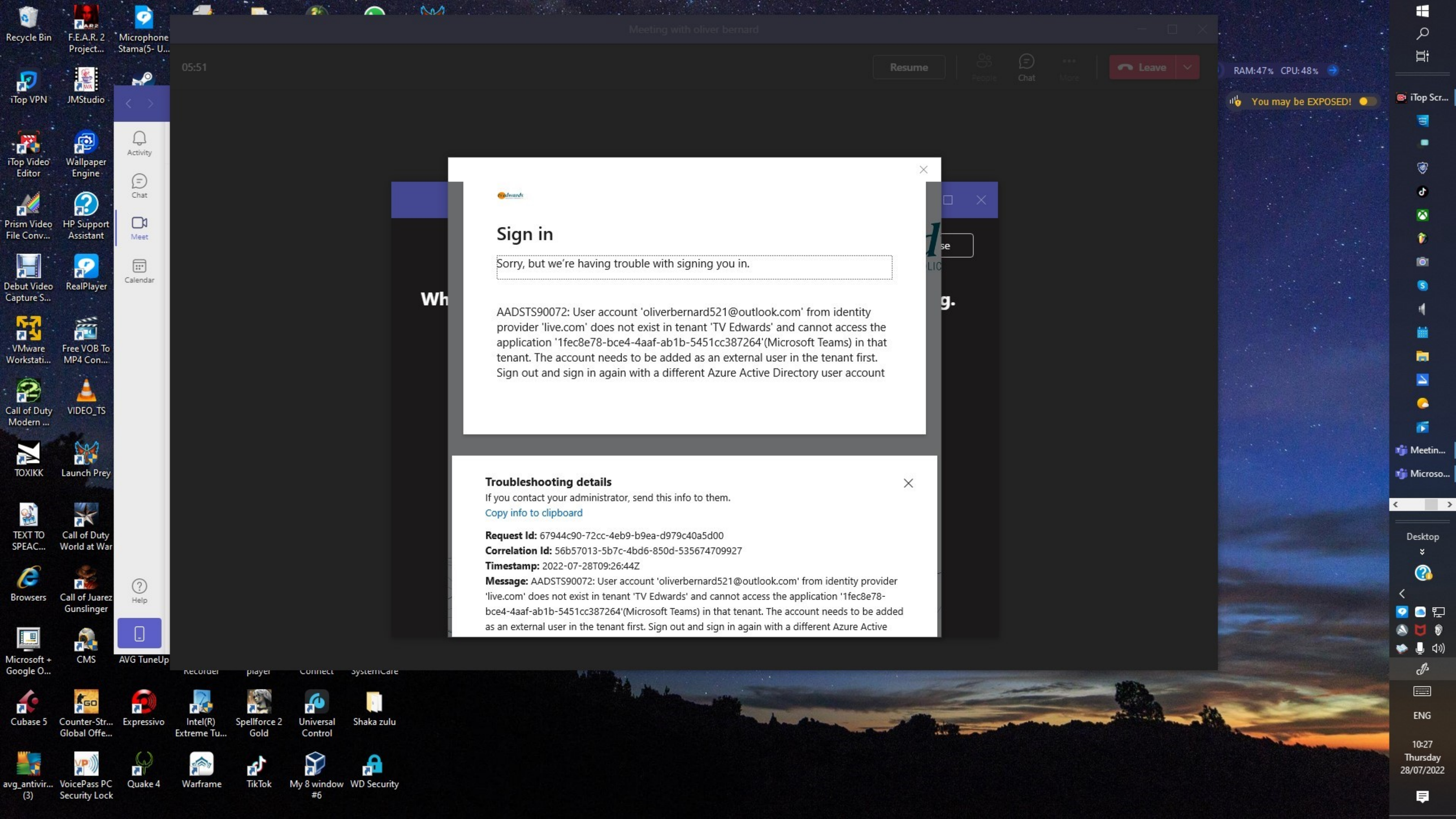
Do you have any further comments or suggestions that may help us to improve our level of service? Please continue on another sheet if necessary.

_____
_____
_____
_____
_____
_____
_____

Thank you for completing this questionnaire. Your responses are completely confidential. However, if you are happy that we know your identity so that we may discuss any of the issues raised, please complete your name and address below. If you do not want us to contact you please leave this section blank. Please find enclosed a leaflet which details further information and services we can offer you.

Name _____ Date _____

Email Address _____


Meeting with oliver bernard
05:51
Resume
People
Chat
More
Leave
RAM:47% CPU:48%
You may be EXPOSED!
Activity
Chat
Meet
Calendar
Help
Sign in
Sorry, but we're having trouble with signing you in.
AADSTS90072: User account 'oliverbernard521@outlook.com' from identity provider 'live.com' does not exist in tenant 'TV Edwards' and cannot access the application '1fec8e78-bce4-4aaf-ab1b-5451cc387264'(Microsoft Teams) in that tenant. The account needs to be added as an external user in the tenant first. Sign out and sign in again with a different Azure Active Directory user account
Troubleshooting details
If you contact your administrator, send this info to them.
Copy info to clipboard
Request Id: 67944c90-72cc-4eb9-b9ea-d979c40a5d00
Correlation Id: 56b57013-5b7c-4bd6-850d-535674709927
Timestamp: 2022-07-28T09:26:44Z
Message: AADSTS90072: User account 'oliverbernard521@outlook.com' from identity provider 'live.com' does not exist in tenant 'TV Edwards' and cannot access the application '1fec8e78-bce4-4aaf-ab1b-5451cc387264'(Microsoft Teams) in that tenant. The account needs to be added as an external user in the tenant first. Sign out and sign in again with a different Azure Active
Recycle Bin
F.E.A.R. 2 Project...
Microphone Stama(5- U...
iTop VPN
JMStudio
iTop Video Editor
Wallpaper Engine
Prism Video File Conv...
HP Support Assistant
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Dr Suleman

By email only

Telephone (24hours) 020 3440 8000 – EXT 8201
Fax 020 3357 9587
Email katie.brown@tvedwards.com

Direct Dial 0203 440 8201

Please ask for Katie Brown

Our ref. EBK/BER374/1 Your ref. 28 September 2022

Dear Sir

REQUEST FOR MEDICAL REPORT FOR USE IN THE CASE OF
LONDON BOROUGH OF LAMBETH V OLIVER BERNARD
CLAIM NO.: J01EC769
IN THE COUNTY COURT AT CLERKENWELL AND SHOREDITCH

Thank you for agreeing to meet with Mr Bernard at your consulting rooms on 7 October 2022 and to prepare a report for use in the Anti-Social Behaviour Injunction proceedings above.

Enclosures

To assist with preparing the report, we enclose the following papers:

1. Injunction papers, to include: application for injunction, injunction order and power of arrest, subsequent injunction orders and court orders (dated 01.06.2022, 10.06.2022, 23.06.2022), correspondence sent to Mr Bernard by his landlord (dated 23.05.2022, 08.06.2022, 17.06.2022), witness statement of Babs Olosun, witness statement of Jummy Rufai, witness statement of Janet Coote, second witness statement of Janet Coote, and Care Act assessment documents;
2. Relevant extracts from Mr Bernard's medical records. Please note that we are still awaiting Mr Bernard's records regarding his mental health from South London and Maudsley NHS Trust but we will send these on as soon as received;
3. Copy of Mr Bernard's most recent prescription; and
4. A recording, taken by Mr Bernard, of his conversation with the police on 27 April 2022.

If there are any other documents that you wish to see to complete your report please advise as soon as possible.

Registered Office: 35-37 Mile End Road, London, E1 4TP.
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Proceedings

We confirm that we are acting for the Defendant, Mr Bernard in the Anti-Social Behaviour Injunction proceedings above.

As you will see from the court papers, Mr Bernard is a tenant of the Claimant, the London Borough of Lambeth. He moved into the property at 33 Carfax Place, London SW4 7BQ in March 2022. The property is within a sheltered housing scheme.

Mr Bernard had previously been living at 27 The Drive in Croydon, which was temporary accommodation provided by the Claimant. Mr Bernard had issues with the private landlord at 27 The Drive. For example, Mr Bernard was accused of leaving the gas hob on in order to heat the property. Mr Bernard's neighbours also accused him of anti-social behaviour. Mr Bernard denies the allegations and instructs that his mental health was impacted by the accusations..

LB Lambeth applied for an Anti-Social Behaviour Injunction against Mr Bernard on 5 May 2022. The first hearing took place on 18 May 2022, which was without notice to Mr Bernard. As you will note from their draft injunction order, LB Lambeth sought to exclude Mr Bernard from his property altogether. However, the judge refused to make the exclusion order and instead decided to make an interim injunction forbidding Mr Bernard from:

1. Making or engaging in any threats of violence, or engaging in violence, against any other residents at Carfax Place and lawful visitor of Carfax, or any employee, contractor or any elected member of the London Borough of Lambeth and Carfax Place;
2. Damaging any property of the London Borough of Lambeth at Carfax Place; and
3. Causing nuisance or annoyance to any residents at Carfax Place, or any employee, contractor, or any elected member of the London Borough of Lambeth at Carfax Place.

A power of arrest is attached to the first two paragraphs, and both the injunction and power of arrest are in force until further order of the court.

Mr Bernard was served with the injunction papers on 23 May 2022.

The main allegation against Mr Bernard is that on 27 April 2022 he physically assaulted a member of Lambeth's staff. Mr Bernard denies this. He instructs that he attended the communal hall because it was his laundry day (there is a rota in place at the scheme). He went to the laundry room, which is inside the communal hall, checked if the machine was in use and upon finding that it was free he went back to his flat to collect his laundry and washing powder, and then came back to the communal hall and found another resident there. Mr Bernard was then told by Jummy Rufai (scheme manager) that the rota had been changed and it was no longer Mr Bernard's laundry day. Babs Olosun, sheltered attendant, was also there and Mr Bernard instructs that both staff members were angrily telling him that he could not use the washing machine. Mr Bernard instructs that he did not shout at all, and he did not use any racist language – he states that Jummy is a black

woman and as a black man, he would not be racist towards her. Mr Bernard instructs that he and Jummy were both in the laundry room. The door to the laundry room opens towards you, into the laundry room. Jummy was standing behind Mr Bernard and she put her foot in front of the door. Mr Bernard instructs that by pulling the door open towards him, with Jummy behind him, there was no way for the door to knock her over without hitting him first. Mr Bernard instructs that he turned around to see Jummy on the floor saying “ow”. Mr Bernard was worried, due to his criminal history, that he would be falsely accused so he left the communal hall and went upstairs to get his phone and called the police. Mr Bernard instructs that he came back downstairs at which point Jummy slapped his phone out of his hand and so Mr Bernard went back to his flat to watch out of his window until the police arrived. Mr Bernard spoke to the police when they arrived. We have enclosed a video recording, taken by Mr Bernard, of this conversation with the police. Please note that we have asked Mr Bernard for a copy of any other recording he took that day on his mobile phone, but he has been unable to provide that to us.

Mr Bernard is accused of attending the Scheme office on 13 May 2022 holding a long iron bar and intimidating a member of Lambeth’s staff. Mr Bernard denies this and says his CCTV footage shows that every time he leaves the property or returns to the property, he did not have an iron bar. We have not seen CCTV footage from this date. Mr Bernard says he had a broom as he was sweeping down the stairs, but not an iron bar. Mr Bernard denies going to the Scheme office at all on 13 May and that he left his property once to go to the shops.

Mr Bernard is accused of walking around wearing only shorts/knickers on 21 May 2022, shouting, frightening other residents and their visitors’ children.

Also on 21 May 2022, Mr Bernard is accused of standing “half naked” in the middle of the road controlling the traffic, and then returning to his property and throwing rubbish items into the communal hall from his window.

Mr Bernard denies these allegations. He states that on that date he left the property only twice, once to go to Clapham Common with his speaker and the second to go to the shop. He instructs that he does not leave the house shirtless.

In relation to throwing items from his window, he says that on one occasion some items have fallen out of his window – a bottle of soap and his CCTV camera before the CCTV was set up – but the downstairs neighbour just asked him if the items belonged to him, and he went and collected them.

Mr Bernard is accused of hiding in the communal hall and laundry area with the lights off and suddenly emerging, frightening other residents. Mr Bernard denies this and instructs that he has been to the communal hall on around three occasions only. Mr Bernard instructs that he has been to the laundry room on two occasions only – once to do a wash and the second when the incident on 27 April took place, and he has not returned since, instead choosing to do his washing at a laundrette.

Mr Bernard is accused of playing loud music at night. Mr Bernard denies this, and says that once he realised that his music could be heard in the communal hall, he got rid of all

his speakers to avoid any trouble. He now only plays his music through his TV or computer so the speakers are not very powerful.

Mr Bernard is accused of disregarding the health and safety of other residents. Mr Bernard denies this and he does not know what this accusation specifically refers to.

Mr Bernard is accused of verbally abusing and intimidating other residents. Mr Bernard denies this and instructs that he does not talk to any of the other residents and keeps himself to himself. He instructs that he had one other interaction with his downstairs neighbour (aside from when the things fell out of his window) as she is a keyholder for the communal hall, so he asked to borrow her key to do a clothes wash.

Mr Bernard is accused of demanding the common room to be opened outside of regular operating hours. Mr Bernard denies this and repeated that he does not go to the communal hall. He asked for it to be opened on the one occasion noted in the above paragraph. He said that he saw his downstairs neighbour coming back from the communal hall, he asked her if he could have the key to do a wash, she said yes she will let him know when she is finished using the washing machine, and she then called him on the internal phones when she was done. Mr Bernard then got the key from her and did a wash.

Mr Bernard is accused of smoking in non-smoking areas. Mr Bernard does not smoke cigarettes, but he does smoke a vape pen. Mr Bernard was not clear that the same rules apply to vaping as they do to smoking cigarettes, and Mr Bernard does not know where the designated smoking areas are at the sheltered scheme. However, Mr Bernard does know that there are ashtrays outside the communal hall and he knows that the communal hall is not a smoking area, and he does not go in there in any event. Mr Bernard instructs that he smokes his vape pen in his flat and outside the community hall.

There have been various hearings after the injunction was made. On 1 June there was a hearing which Mr Bernard attended but did not have legal representation, at which Lambeth filed police disclosure – exhibited to the second witness statement of Janet Coote. The judge considered that the hearing should be adjourned to allow Mr Bernard to find representation and for a multi-agency meeting to take place.

The multi-agency meeting took place on 6 June 2022, details of which can be found in the second witness statement of Janet Coote. At the meeting, it was determined that a proper risk assessment was not carried out before Mr Bernard moved into this property, and that the sheltered scheme is not in fact suitable for him. It was also determined that Mr Bernard should be placed outside of the London Borough of Lambeth. The outcome of the meeting was for various assessments to be carried out: a mental health assessment, a Care Act assessment, and a risk assessment.

The hearing on 10 June was adjourned again for Mr Bernard to find legal representation, and the hearing on 23 June was adjourned for both parties to explore the possibilities of Lambeth providing alternative accommodation to Mr Bernard. There has been no further information from Lambeth regarding alternative accommodation for Mr Bernard.

After this hearing, Mr Bernard instructed this firm. A hearing took place on 24 August 2022 at which we raised our concerns about Mr Bernard's capacity to instruct us. As such, the court gave permission for Mr Bernard to rely on an expert psychiatric report addressing: (i) whether the Defendant has litigation capacity in relation to these proceedings, (ii) whether the Defendant has capacity to comply with an injunction ('Wookey capacity'), (iii) whether the Defendant is disabled within the meaning of s.6 Equality Act 2010, (iv) if so, whether there is a connection between the Defendant's disability and the alleged anti-social behaviour, and (v) other related matters, such as what support might benefit the Defendant and the impact on the Defendant of imposition of an injunction. The court also amended the injunction order to remove the power of arrest from paragraph 2, but aside from that it remains in force until further order of the court. A further hearing is to be listed on the first available date after 26 October 2022.

Our concerns around Mr Bernard's litigation capacity came up largely because we consider that there is a potential defence to the proceedings based on disability discrimination (so long as there is a causal connection between the alleged anti-social behaviour and any disability of Mr Bernard). The difficulty arises because Mr Bernard does not accept that there may be a link between his mental health condition and his behaviour, and has become frustrated at the suggestion that his mental health could be linked to this case.

Medical background

From the medical records, it appears that Mr Bernard has had "behavioural problems" since 1978. We understand that he was diagnosed with schizophrenia in 2000. Mr Bernard's symptoms include auditory, visual and tactile hallucinations. The auditory hallucinations include command hallucinations which tell him to do things. Mr Bernard believes that the voices belong to the devil or something similar. He also believes that thoughts are being put into his head.

Mr Bernard instructed that at the moment, he does still hear voices but they are "dying off now more than ever". He says that the voices currently tell him that he has enough evidence to prove that Jummy Rufai is lying, but the voices can also be on Jummy's side, telling him to let Jummy win.

Mr Bernard has reportedly been on medication since his diagnosis in 2000. You will see a copy of his most recent prescription enclosed. The records show that Mr Bernard has largely been compliant with his medication over the years. Mr Bernard has engaged in support for his mental health on and off since his diagnosis. He appears to have insight into the fact that his medication assists with his symptoms, and there was a period at the end of 2007 where he was not taking his medication due to relocating and he found his symptoms worsening, so he sought a new prescription.

LB Lambeth made a safeguarding referral to Lambeth Single Point Access for mental health support. They also referred Mr Bernard for a Care Act assessment. Mr Bernard has been contacted by Olivia Laidlaw from SLaM CMHT but he is of the view that he does not need support with his mental health and that he does not have a problem at present. Therefore, he has said that he will not be contacting SLaM to arrange an appointment.

We have enclosed a copy of the Care Act assessment from June 2022. Mr Bernard was assessed as being able to achieve all outcomes and was not eligible for services under the Care Act, but the assessor did note that Mr Bernard had deteriorating mental health and the ongoing proceedings may impact his mental health.

Mr Bernard has a history of drug use, including crack cocaine and cannabis. There is mention of use of heroin in his medical records on at least one occasion. We do not have instructions as to whether or not Mr Bernard is currently using drugs.

Mr Bernard went to pick up his prescription on 10 August 2022 but the pharmacy that he usually attends was unable to provide him with his medication. You will note from the copy of the prescription enclosed that a review was due on 1 August 2022. As Mr Bernard is no longer registered with a GP or receiving any support for his mental health, it does not appear that there was anyone to carry out this review. Mr Bernard has told us that he not been taking his medication since at least 10 August 2022 and his presentation has been deteriorating since then. For example, it has become much more difficult to keep Mr Bernard on topic and he has discussed matters such as Lucifer and the devil, also quoting extracts from the bible.

Mr Bernard also suffers from physical health issues. He was stabbed resulting in liver injury in 1997. He has also been diagnosed with diabetes and rheumatoid arthritis.

Legal Framework

Capacity

The Mental Capacity Act 2005 ("the MCA") came into force on 1 October 2007, along with an accompanying Code of Practice. You are required to have regard to the principles and provisions of the MCA and the Code and we draw your attention in particular to Chapter 5 of the Code. The statutory principles of the MCA provide that:

Section 1

'(2) A person must be assumed to have capacity unless it is established that he lacks capacity.

(3) A person is not to be treated as unable to make a decision unless all practicable steps to help him to do so have been taken without success.

(4) A person is not to be treated as unable to make a decision merely because he makes an unwise decision' …

As you will no doubt be aware, although we have a duty to remind you, the Mental Capacity Act 2005 (MCA) provides for a two stage test to ascertain whether an individual has the requisite capacity to make a decision. Section 2 of the MCA provides for a diagnostic test that "a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or disturbance in the functioning of, the mind or brain." Accordingly, it is first necessary to determining whether a person is unable to make a decision for himself in relation to the

matter in question and, if so, whether this is because of an impairment of or disturbance in the functioning of the mind or brain.

Section 2 provides insofar as is material as follows:

Section 2 - People who lack capacity

(1) For the purposes of this Act, a person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain.

(2) It does not matter whether the impairment or disturbance is permanent or temporary.

(3) A lack of capacity cannot be established merely by reference to-
(a) a person's age or appearance, or
(b) a condition of his, or an aspect of his behaviour, which might lead others to make unjustified assumptions about his capacity.

(4) In proceedings under this Act or any other enactment, any question whether a person lacks capacity within the meaning of this Act must be decided on the balance of probabilities....

Section 3 provides that:

Section 3 - Inability to make decisions

(1) For the purposes of section 2, a person is unable to make a decision for himself if he is unable-
(a) to understand the information relevant to the decision,
(b) to retain that information,
(c) to use or weigh that information as part of the process of making the decision, or
(d) to communicate his decision (whether by talking, using sign language or any other means).

(2) A person is not to be regarded as unable to understand the information relevant to a decision if he is able to understand an explanation of it given to him in a way that is appropriate to his circumstances (using simple language, visual aids or any other means).

(3) The fact that a person is able to retain the information relevant to a decision for a short period only does not prevent him from being regarded as able to make the decision.

(4) The information relevant to a decision includes information about the reasonably foreseeable consequences of-
(a) deciding one way or another, or
(b) failing to make the decision

Practitioners are also required to have regard to the Code of Practice ('the Code'), which

supports the MCA when assessing capacity and making decisions on behalf of a person who lacks capacity. The Code is available online at www.publicguardian.gov.uk.

The Code gives some examples of what may amount to an impairment or disturbance in the functioning of the mind or brain for the purpose of the stage 1 test:

a. Conditions associated with some forms of mental illness;
b. Dementia;
c. Significant learning disabilities;
d. The long-term effects of brain damage;
e. Physical or mental conditions that cause confusion, drowsiness or loss of consciousness;
f. Delirium;
g. Concussion following a head injury; and
h. The symptoms of alcohol or drug abuse.

The Code also emphasises that people must be given all practical and appropriate support to enable them to make a decision for themselves and that a person should be found to lack capacity only if all such appropriate support has failed.

In a number of cases (*PH v A Local Authority* [2011] EWHC 1704 (Fam), *CC v KK & ors* [2012] EWHC 2136 and *PCT v LDV* [2013] EWHC 272 (Fam)) it has been confirmed that capacity is both issue-specific and time specific. In other words, it is necessary to assess a person's ability to make a particular decision at a particular time, not their ability to make decisions in general.

Capacity to conduct proceedings

In relation to the capacity to conduct legal proceedings, the Supreme Court held in *Dunhill v Burgin* [2014] UKSC 18 that the test is one of capacity to conduct the particular type of proceedings generally. Capacity is to be assessed by reference to all of the decisions that will arise over the course of the proceedings, rather than having to be assessed separately at the point that the need for each decision arises (per Baroness Hale at para 15).

In *Bailey v Warren* [2006] EWCA Civ 51, Arden LJ set out at para 126, some of the matters to be considered in legal proceedings generally, including the client's ability to understand the chances of success, to give proper instructions and to approve a compromise, which itself would require "insight into the compromise, an ability to instruct his solicitors to advise him on it, and an understanding of their advice and an ability to weigh their advice".

In *Re RGS* [2012] EWHC 4162 (COP), a case which concerned litigation capacity, the Court of Protection considered the position where a person may cognitively understand relevant information for the purposes of making a particular decision, but lacks the ability to apply that information in a reasoned way when making the decision due to a mental impairment. The Court noted:

> (a) *"The test is not purely about cognition or capacity to reason. A person may understand the relevant information, be able to retain it, and intellectually be able to acknowledge its significance, but be unable to give it any proper weight, because of an overwhelming phobia, obsessive thoughts, compulsive behaviour or abnormally*

> *impulsive behaviour attributable to an impairment or disturbance of their mind or brain." (para 20);* and,
>
> (b) *It is therefore going too far to say that the quality of the decision is irrelevant as long as the person 'understands' what s/he is deciding. As Ashton et al note, 'in Mitchell v Alasia [2005] EWHC 11 (QB), Cox J relied on qualities such as impulsiveness and volatility when deciding that the claimant was incapable of managing and administering his own affairs.'* (footnote 3).

Injunction capacity

As confirmed in *P v P* and *Wookey* the test, as set out in para 902 of the former, states:-

> *"It is not necessary for members of the public to have a clear understanding of the finer points of procedure of the law in the case in which they are parties. It depends upon the facts. It is however crucial that a litigant against whom an order is to be made understands what he must not do, that the order on a piece of paper tells him he must not do A or B or C and that he understands that if he disobeys the order he will be in trouble and he may go to prison".*

In the *Wookey* case the court decided that an injunction should only be made against an individual who was amenable to the court's jurisdiction; that the key question was whether the individual understood the nature and requirements of the order sought; and that an injunction should not be made against an individual who was found to be "incapable" of understanding what he was doing or that what he was doing was wrong since it could neither achieve its desired deterrent effect nor operate upon that person's mind so as to regulate his behaviour.

Even if a defendant is capable of understanding the nature and requirements of the injunction, if as a result of their diagnosis they are not able to comply with the terms of the injunction, an injunction should not be put in place (see also *Pender v DPP* [2013] EWHC 2598 (Admin)). In *R (Cooke) v DPP* [2008] EWHC 278 (admin) the court said it was important to distinguish between a likelihood or inevitability of a person disobeying an ASBO and the person's lack of capacity to obey it.

Disability

We also set out below the legal principles around disability issues.

The Equality Act 2010 defines a disability as follows:-

(1) A person (P) has a disability if—

> *(a)P has a physical or mental impairment, and*
> *(b)the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities.*

The term "mental or physical impairment: should be given its ordinary meaning. It is not necessary for the cause of the impairment to be established, nor does the impairment

have to be the result of an illness. The definition of disability for the purposes of the Equality Act 2010 is functional, that is, it is necessary to consider the impact of any impairment on an individual's ability to carry out normal day-to-day activities.

A disability can arise from a wide range of impairments which can be:

- progressive, such as motor neurone disease, muscular dystrophy, and form of dementia;
- developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
- learning disabilities;
- mental health conditions with symptoms such as anxiety, low mood, panic attacks, phobias, or unshared perceptions; eating disorders; bipolar affective disorders; obsessive compulsive disorders; personality disorders; post traumatic stress disorder, and some self-harming behaviour;
- mental illnesses, such as depression and schizophrenia;
- produced by injury to the body, including to the brain.

Certain conditions are not to be regarded as impairments for the purposes of the Act.
These are:

- addiction to, or dependency on, alcohol, nicotine, or any other substance (other than in consequence of the substance being medically prescribed);
- the condition known as seasonal allergic rhinitis (e.g. hayfever), except where it aggravates the effect of another condition;
- tendency to set fires;
- tendency to steal;
- tendency to physical or sexual abuse of other persons;
- exhibitionism;
- voyeurism.

It is not necessary to consider how an impairment is caused, even if the cause is a consequence of a condition which is excluded. For example, liver disease as a result of alcohol dependency would count as an impairment, although an addiction to alcohol itself is expressly excluded from the scope of the definition of disability in the Act. What it is important to consider is the effect of an impairment, not its cause – provided that it is not an excluded condition.

A person with an excluded condition may nevertheless be protected as a disabled person if he or she has an accompanying impairment which meets the requirements of the definition.

When considering whether someone has a disability the impact of medication on their condition and ability to manage their day-to-day living should be ignored.

"Long Term effect" means it has lasted at least 12 months; the period for which it is likely to last is at least 12 months or it is likely to last the rest of the person's life. Where an

impairment ceases to have a substantial adverse effect on a person's ability to carry out normal day to day activities, it is to be treated as continuing to have that effect if it is likely to recur. A substantial effect is likely to recur if it "could well happen".

"Substantial" in the Act means "more than minor or trivial". An impairment which would be likely to have a substantial adverse effect on the ability of the person concerned to carry out normal day to day activities but for the fact that measures are being taken to treat or correct it is to be treated as having that effect. Thus if the person has paranoid schizophrenia but is well, provided he takes his medication, he is still treated as having a mental impairment with substantial adverse effects.

We attach a link to a PDF document providing guidance on matters to be taken into account in determining questions relating to the definition of disability.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/85010/disability-definition.pdf.

Discrimination arising from disability

Section 15(1) of the Equality Act 2010 provides that:

> *A person (A) discriminates against a disabled person (B) if—*
>
> *a) A treats B unfavourably because of* ***something arising in consequence of B's disability****, and*
>
> *b) A cannot show that the treatment is a proportionate means of achieving a legitimate aim.*

The case of *Basildon & Thurrock NHS Foundation Trust v Weerasinghe* (2016) UKEAT/397/14 explains that the words “something arising in consequence of” require a causal link between the “something” and the disability: disability must not simply form the context in which behaviour occurs.

The case of *Pnaiser v NHS England* (2015) UKEAT/0137/15 explains that the expression “could describe a range of causal links” and the “the causal link between the something that causes unfavourable treatment and the disability may include more than one link” (i.e. the disability causes something, which causes something else, which causes the unfavourable treatment).
Further, the case of *Risby v Waltham Forest LBC* (2016) UKEAT/318/15 makes clear:

- There is no need to show a *direct* link between the disability and the conduct
- All that is needed is to show that the disability is an 'effective cause' of the conduct
- There can be more than one effective cause, one of which constitutes a disability and one of which does not, and this would still satisfy the requirement for the conduct to have arisen 'in consequence' of the disability

In the *Risby* case, for example:

- the claimant's disability meant that he was unable to access meetings at a venue that was not wheelchair accessible, which caused him to become frustrated;
- as a result of this frustration, combined with his personality trait of shortness of temper (which did not arise out of a disability), he became aggressive and used racist and abusive language towards a colleague and was dismissed from his job;
- the Employment Appeal Tribunal held that "there were two causes of conduct that gave rise to his dismissal, one of which arose out of his disability" and so his disability was "an effective cause" of the conduct for which he was dismissed.

Request for report

We would ask you to prepare a report for use in the injunction proceedings that covers the following issues:

1. Any diagnosis you reach of Mr Bernard's mental health condition. If you are not able to diagnose a particular condition with certainty please confirm your view as to whether Mr Bernard is likely to have a mental health condition and if so, what steps are required for a formal diagnosis to be made.

2. Please confirm whether, in your opinion:

    a. Mr Bernard is currently compliant with his medication.
    b. Any mental health condition(s) Mr Bernard has is currently well controlled or, alternatively, whether he is experiencing symptoms and, if so, the nature of those symptoms.

3. In relation to capacity, can you confirm your opinion on:

    a. Mr Bernard's capacity to litigate these injunction proceedings (we enclose a Certificate as to Capacity to conduct proceedings for completion). That is, whether he is able to understand, retain, use and weigh information relevant to the injunction proceedings, and communicate a decision. This includes being able to understand the chances of success and to weigh legal advice, including the possibility of a disability discrimination defence, in order to provide instructions.

    b. Mr Bernard's injunction capacity, that is, whether he is able to understand the terms and effect of the injunction, the consequences of breaching it, and whether he is able to comply with the injunction.

    c. Mr Bernard's capacity to make decisions around posting content online. That is, whether he is able to understand, retain, use the information relevant to making decisions about posting content. The relevant information includes:

i. Understanding that content posted online can be viewed by anybody, and not just those who he sends the link to. That is, for example, his landlord or strangers could view the content.
ii. Understanding that the content posted online, and any personal information contained in that content, could be shared with other people, including his landlord or strangers. For example, if he posts a video of his discussion of his mental health issues, that this information could be shared with others.
iii. Understanding that other people who are featured in videos or photos he posts online may not consent to their image being posted online.
iv. Understanding that what he says to his lawyers is subject to 'legal privilege'. Loosely, this means that he is not required to tell other parties to proceedings, such as his landlord, what he has discussed with his lawyer and what his lawyer told him.
v. Understanding that by posting content online containing discussions between himself and his lawyers may amount to 'waiver of legal privilege'. This means that other parties to proceedings, such as his landlord, could use the information in court. It might also mean that other parties to proceedings could argue he has waived legal privilege in relation to other discussions with his lawyers, which he did not post videos of online.
vi. Understanding that it may not be good for defending his landlord's application for an anti-social behaviour injunction for his landlord to have access to discussions between himself and his lawyers.

d. For each decision, please set out what you consider to be the relevant information for that decision and what steps you took to help them to understand that information; and explain how any inability to make a decision is caused by an impairment or disturbance in the functioning of Mr Bernard's mind or brain.

e. Do you consider that all practicable steps to help Mr Bernard maximise his ability to make a capacitous decision have been taken without success? If you think there are steps which could be taken but have not been, please identify those steps.

f. If you determine that Mr Bernard lacks litigation and/or injunction capacity, is he likely to regain his capacity? What steps might be taken to support Mr Bernard to do so?

4. Whether or not you would regard Mr Bernard as a person who is disabled in accordance with the definition set out in section 6 of the Equality Act 2010.

    a. Please state whether Mr Bernard has or had a mental impairment(s)?

    b. If so, did (or does) such impairment *adversely affect* Mr Bernard's ability to carry out *normal day-to-day activities*?

With regard to ‘adverse effect’: The focus is on what Mr Bernard cannot do or what he can only do with difficulty, whether he needed to be assisted, prompted or motivated, whether he can carry out activities safely and reasonably, and any other negative consequences. The issue is the cumulative effect of day to day activities, rather than any one function taken in isolation.

You must disregard the effects of any medication that Mr Bernard was on and consider the effects on activities *as if* Mr Bernard was not on any medication. It would be helpful to describe the adverse effects both with and without medication.

With regard to ‘normal day-to-day activities’: The focus is on general day-to-day activities such as interacting with other people (both formally and socially), planning and organising himself, handling money, reading and writing, or making choices and judgements.

If so, please state which activities were affected and how they are/were affected.

c. If so is/was such adverse effect more than minor or trivial? This is referred to below as a ‘substantial adverse affect’.

d. In respect of the substantial adverse effect of the impairment –
   i. did it last 12 months or more;
   ii. was it likely to last 12 months or more; or
   iii. did the likelihood of it recurring last 12 months or more

‘Likely’ and ‘likelihood’ mean “could well happen” rather than “more likely than not”.

e. If so please state at what date the criteria above were met and, if applicable, at what date the above criteria ceased to be met.

f. In light of the above, and having regard to the definition of disability (see above) please confirm whether you are of the view that Mr Bernard had/has a disability within the meaning of the Equality Act 2010.

5. If Mr Bernard is a person who is disabled within that definition, is the alleged anti-social behaviour “something arising in consequence” of his disability? As set out above, for this test to be met any disability must be an effective cause of the anti-social behaviour alleged, but need not be the main or sole cause. Moreover, there can be more than one link in the chain of causation.

6. Is there any support that Mr Bernard may benefit from?

7. In your opinion, does Mr Bernard require any specific support to maintain his tenancy and/or supported accommodation?

8. What impact do these proceedings and the injunction have on Mr Bernard? i.e. are the current proceedings and the imposition of the injunction having an impact on his mental health?

9. If Mr Bernard were to be made street homeless because he is evicted from his current property, is he likely to suffer harm, injury or detriment as a result? And if so, what is the risk – i.e. high, medium or low? Would Mr Bernard be more vulnerable than the average person who found themselves street homeless. If so, why?

If there is anything else you wish to address, please feel free to do so.

Payment of fees

You are instructed as an expert on behalf of Mr Bernard who has the benefit of a public funding certificate. Ultimately your fees will be assessed by either the court or the Legal Aid Agency (LAA) at the conclusion of the case as to reasonableness in terms of both hourly rate and time spent. We are further restricted to paying a maximum of £108 per hour for preparation of the report; £40 per hour for travel time and mileage at 45p per mile. We are not authorised to pay a cancellation fee or administration costs.

In addition the LAA expects adult psychiatrists to spend a total of 15 hours in preparing the report broken down as 5 hours for reading, 5 hours for attending the adult and reading and 10 hours for preparing the report. If upon receipt of these papers your estimate for time spent on this case is higher than this please let us know immediately as we will need to apply for prior authority to cover your fees.

We cannot be responsible for any fees over and above those finally assessed and paid by the LAA or the court. In accepting this instruction you therefore agree that if your fees are subsequently reduced by the court or the LAA you will promptly reimburse the difference between the amount paid on account to you, and the amount finally allowed on assessment, to us.

Once you have received these instructions and the papers if your estimate exceeds the above then please inform this firm before carrying out work over and above this estimate. This is because we will be restricted to paying for only a certain number of hours under the legal aid certificate.

Compliance with court rules

As your report and the certificate will be used in evidence it will need to comply with court rules. Therefore we would be grateful if you would insert the following statement above your signature:

"I confirm that I have made clear which facts and matters are within my own knowledge and which are not. Those that are within my own knowledge I confirm to be true. The opinions I have expressed represent my true and complete professional opinions on the matters to which they refer.

I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth."

We would also be grateful if you would confirm that you understand your duty to the court and you have complied with and will continue to comply with it; and that you are aware of the requirements of the court's Civil Procedure Rules, specifically part 35, Practice Direction 35.

Report deadline

We would be grateful to receive the report as soon as possible. The next hearing in this matter is to be listed on the first available date after 26 October 2022 so we would be grateful for receipt of the report in advance of this date.

Please contact Emily Black at this office if you would like to discuss these instructions.

Thank you for your assistance.

Yours faithfully

TV Edwards LLP

Enc.

CASE NO.: J01EC769

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT

B E T W E E N:-

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH

Applicant

-and-

OLIVER BERNARD

INSTRUCTIONS TO COUNSEL - TO ADVISE ON THE MERITS OF DEFENDING THE INJUNCTION

BRIEF TO COUNSEL – TO REPRESENT THE RESPONDENT AT IN-PERSON HEARING ON 24 AUGUST 2022 AT 11:30AM

Counsel has herewith the following:-

1. Bundle for hearing on 24 August collated by the Applicant (containing Form N16a, Form N260, Draft Injunction Order, Injunction Order and Power of Arrest, Certificate of Service, Order 01.06.2022, Certificate of Service, Order 10.06.2022, Certificate of Service, Order 23.06.2022, letters sent to R 23.05.2022, 08.06.2022, 17.06.2022, Notice of Acting and Notice of Issue, WS of Babs Olosun, WS of Jummy Rufai, WS of Janet Coote, second WS of Janet Coote, Care Act assessment and ASC eligibility criteria);
2. Tenancy agreement and tenancy sign up documents;
3. Copy of the Respondent (R)'s most recent prescription (note R instructs he does not take all of these currently);
4. Letter from Dr Matthew Green dated 8 January 2021 (annotated by R);

5. Contact reports regarding incident on 27 April 2022;
6. R's CCTV footage of 27 April 2022 (note 09:10am appears at around the 3h 10 minute mark, 9:45am at 3h 45 minutes, 4h 36 onwards for the time of the incident);
7. R's recording of his discussion with police officers on 27 April 2022;
8. Public Funding Certificate.

Counsel is instructed by Katie Brown, solicitor of TV Edwards LLP who is acting for the Respondent (R) in this matter. Please note however, that the first point of contact for this case should be Emily Black, trainee solicitor, who is assisting Katie on this case.

R has the benefit of a Substantive Public Funding Certificate granted on 4 July 2022 to be represented in these injunction proceedings, limited to all steps up to but excluding trial. We have enclosed a copy of the Certificate for Chambers' records.

Background

R has lived at the property at 33 Carfax Place, London SW4 7BQ (the property) since 21 March 2022. His landlord and the Applicant in this matter is the London Borough of Lambeth. The property is sheltered housing and he has an introductory tenancy. R instructs that he bid on the property and was successful, and he assumes that the reason he is in sheltered housing is because of his arthritis, despite him having no need for physical care or support. As counsel will be aware, for the authority to have allocated this accommodation to R, they must have assessed him as being in need of this type of accommodation though we have no documentation to explain on what basis it was allocated.

R was previously living in temporary accommodation. IS have seen various documents that refer to R having issues with the landlord and neighbours, including being subject to an allegation that he purposely left the gas on and was using the hob to heat the property.

R instructs that he has been diagnosed with schizophrenia and arthritis. It is unclear whether he has any other medical conditions. IS has requested R's medical records from Primary Care Support England and SLaM but we have not received these records as yet. R initially instructed that he was not taking any medication or receiving any support for his mental health. R said that his GP had signed him off as "fine".

Since then, after sending IS a copy of his most recent prescription and being asked about it, R has confirmed that he is taking the following medication:

- Mirtazapine (used to treat depression and anxiety);
- Metformin (used to treat type 2 diabetes);
- Clonazepam (used to control seizures or fits);
- Atorvastatin (used to treat high blood cholesterol);
- Procyclidine (anti-psychotic);
- Amisulpride (anti-psychotic); and
- Risperidone (anti-psychotic).

A made a safeguarding referral to Lambeth Single Point Access for mental health support. They also referred him for a Care Act assessment. R has been contacted by Olivia Laidlaw from SLaM CMHT but he is of the view that he does not need support with his mental health and that he does not have a problem. Therefore, he has said that he will not be contacting SLaM to arrange an appointment. IS have tried encouraging R to follow up with this appointment but he is refusing.

Counsel will note there is a Care Act assessment from June 2022 in the bundle. R was assessed as being able to achieve all outcomes and was not eligible for services under the Care Act, but the assessor did note that R had deteriorating mental health and the ongoing proceedings may impact his mental health.

An ASC eligibility criteria document in the bundle also provides some further useful insight into R's mental health history, such as that symptoms of his schizophrenia include auditory and tactile hallucinations, thoughts that others know his thoughts/take them out/control them, thoughts that others can move his

body. There are also previous reports of suicidal behaviour and thoughts to harm himself.

R originally instructed that he was registered at Thornton Heath Medical Practice but when we contacted them for R's medical records, they informed IS that R is no longer registered there. R has become agitated when IS has tried to discuss his medical situation and considers it has no relation to the injunction proceedings. There is a useful letter from Dr Matthew Green dated January 2021 which provides further details.

Emily Black of IS has no concerns around R's capacity to make decisions around the injunction matter and considers that he has capacity to instruct IS in these proceedings. He has shown himself able to understand information relevant to the proceedings. He has been able to retain information i.e. he has repeatedly told IS the same story regarding his side of events of the incident on 27 April. However, he has changed his instructions on the medication he takes and whether or not he is registered with a GP. R has shown he is able to use of weigh up information – he recognises that he does not want an injunction against him and chose to instruct IS, and since the injunction has been in place he has changed his behaviour, shown by the fact the power of arrest has not been activated. R has been able to communicate decisions with no issues.

R has confirmed that he is content for us to obtain a medical report for use in the proceedings (if counsel believes this would assist).

Counsel will note from the report of Dr Green dated 21 January 2021 that R has a history of criminal convictions, as follows:

- 3 offences against the person (1983-2004)
- 1 sexual offences (2012)
- 1 offences against property (1998)
- 6 theft and kindred offences (1980-2004)
- 6 public disorder offences (1983-2011)
- 7 offences relating to police/courts/prisons (1992-2010)
- 2 drug offences (1983-2008)

- 15 Miscellaneous offences (1986-2001)

R instructs that he has been recording his interactions with staff at the property since around 12 April 2022 when he was accused of playing loud music. . R is concerned about being falsely accused. R instructs that he does not wish to remain at the property in any event. R has CCTV set up which shows the stairs leading up to his flat, his flat hallway, one of the rooms in his flat, and the only window in his flat which looks out to the communal hall.

R has also been served with a Notice of Seeking possession on grounds 1 and 2 which is due to expire on 15 August. We are opening a separate Legal Help file to advise Mr Bernard on this separate matter.

Proceedings

On 23 May 2022 R was personally served with papers by A regarding the Part 1 Injunction that was made without notice on 18 May 2022, the terms of which counsel will note from the bundle. A power of arrest is attached to the first two paragraphs of the injunction, and both the injunction and power of arrest are in force until further order of the court.

Counsel will note that the injunction made by the court is not on the same terms as the injunction that A is seeking. The draft injunction order filed with A's initial application sought to stop R from entering or attempting to enter his residence and from approaching the scheme offices.

There have been various hearings after the injunction was made. On 1 June there was a hearing which R attended but did not have legal representation, at which A filed police disclosure – exhibited to the second witness statement of Janet Coote. The judge considered that the hearing should be adjourned to allow R to find representation and for a multi-agency meeting to take place.

The multi-agency meeting took place on 6 June 2022, details of which can be found in the second WS of Janet Coote. At the meeting, it was determined that a proper risk assessment was not carried out before R moved into this property, and

that the sheltered scheme is not in fact suitable for him. It was also determined that R should be placed outside of the London Borough of Lambeth. The outcome of the meeting was for various assessments to be carried out: a mental health assessment, a Care Act assessment, and a risk assessment. IS considers that the content of this meeting, along with R's own wishes, means that it is likely that R will be moved to alternative accommodation. A has confirmed that they are actively searching for alternative accommodation for R.

The hearing on 10 June was adjourned again for R to find legal representation, and the hearing on 23 June was adjourned for both parties to explore the possibilities of A providing alternative accommodation to R. R recently advised that they still await hearing back from the HPU as to whether a suitable property has been acquired following which the police will need to conduct their risk assessments. R has not been contacted about any alternative accommodation.

Allegations against R

Counsel will note from the papers that the main allegation against R is that on 27 April 2022 he physically assaulted a member of Lambeth's staff. R denies this. He instructs that he attended the communal hall because it was his laundry day (there is a rota in place at the scheme). He went to the laundry room, which is inside the communal hall, checked if the machine was in use and upon finding that it was free he went back to his flat to collect his laundry and washing powder, and then came back to the communal hall and found another resident there. R was then told by Jummy Rufai (scheme manager) that the rota had been changed and it was no longer R's laundry day. Babs Olosun, sheltered attendant, was also there and R instructs that both staff members were angrily telling him that he could not use the washing machine. R instructs that he did not shout at all, and he did not use any racist language – he states that Jummy is a black woman and as a black man, he would not be racist towards her. R instructs that he and Jummy were both in the laundry room. The door to the laundry room opens towards you, into the laundry room. Jummy was standing behind R and she put her foot in front of the door. R instructs that by pulling the door open towards him, with Jummy behind him, there was no way for the door to knock her over without hitting R first. R instructs that he turned around to see Jummy on the floor saying "ow". R was

worried, due to his criminal history, that he would be falsely accused so he left the communal hall and went upstairs to get his phone and called the police.

R instructs that he came back downstairs at which point Jummy slapped his phone out of his hand and so R went back to his flat to watch out of his window until the police arrived. R spoke to the police when they arrived. IS has enclosed a video recording of R's conversation with the police. R instructs that his CCTV footage shows that he had a pile of laundry in his hands at all times, that he was walking calmly not running, and that other people were entering the communal hall not him.

We have considered the CCTV footage and it does not show R leaving his property at 09:10 or 09:45 as the witness statement of Babs Olosun states. It shows that R leaves his flat empty handed at 10:36, comes back up at 10:38, goes back down with laundry in his arms at 10:40, then back into his flat at 10:43 with the laundry still in his arms, then going back down without the clothes. At 10:45 R appears to walk out of the communal hall, into the outside area, then back in, returning to his flat at 10:47 whilst on the phone. Counsel will see that the police arrive at 10:53 at which point R goes down to talk to them.

R is accused of attending the Scheme office on 13 May 2022 holding a long iron bar and intimidating a member of A's staff. R denies this and says his CCTV footage shows that every time he leaves the property or returns to the property, he did not have an iron bar. R says he had a broom as he was sweeping down the stairs, but not an iron bar. R denies going to the Scheme office at all on 13 May and that he left his property once to go to the shops. R has sent us CCTV footage from that date but only of a very small snippet, so IS has not sent this on to counsel. R has confirmed that he will send the larger file over to us, which we will then consider and forward to Counsel.

R is accused of walking around wearing only shorts/knickers on 21 May 2022, shouting, frightening other residents and their visitors' children. R denies this and says that on that date he left the property only twice, once to go to Clapham Common with his speaker and the second to go to the shop. R says his CCTV will

show that he was not doing anything he is accused of. R has not provided his CCTV footage as yet. R has confirmed that he will send the footage over to us, which we will then consider and forward to Counsel.

Also on 21 May 2022, R is accused of standing half naked in the middle of the road controlling the traffic, and then returning to his property and throwing rubbish items into the communal hall from his window. R denies this. He says that on one occasion some items have fallen out of his window – a bottle of soap and his CCTV camera before the CCTV was set up – but the downstairs neighbour just asked him if the items belonged to him, and he went and collected them. R instructs that the neighbour did not mind this.

R is accused of hiding in the communal hall and laundry area with the lights off and suddenly emerging, frightening other residents. R denies this and instructs that he has been to the communal hall on around three occasions only. R instructs that he has been to the laundry room on two occasions only – once to do a wash and the second when the incident on 27 April took place, and he has not returned since, instead choosing to do his washing at a laundrette. 21 May was a Saturday, which R instructs means the communal hall is locked and he does not have a key.

R is accused of playing loud music at night. R denies this, and says that once he realised that his music could be hearing in the communal hall, he got rid of all his speakers to avoid any trouble. R is not sure when this was but that it was sometime after 21 May. R now only plays his music through his TV or computer so the speakers are not very powerful.

R is accused of disregarding the health and safety of other residents. R denies this and he does not know what this accusation specifically refers to.

R is accused of verbally abusing and intimidating other residents. R denies this and instructs that he does not talk to any of the other residents and keeps himself to himself. He instructs that he had one other interaction with his downstairs neighbour (aside from when the things fell out of his window) as she is a

keyholder for the communal hall, so he asked to borrow her key to do a clothes wash.

R is accused of demanding the common room to be opened outside of regular operating hours. R denies this and repeated that he does not go to the communal hall. He asked for it to be opened on the one occasion noted in the above paragraph. He said that he saw his downstairs neighbour coming back from the communal hall, he asked her if he could have the key to do a wash, she said yes she will let him know when she is finished using the washing machine, and she then called him on the internal phones when she was done. R then got the key from her and did a wash.

R is accused of smoking in non-smoking areas. R does not smoke cigarettes, but he does smoke a vape pen. R was not clear that the same rules apply to vaping as they do to smoking cigarettes, and R does not know where the designated smoking areas are at the sheltered scheme. However, R does know that there are ashtrays outside the communal hall and he knows that the communal hall is not a smoking area, and he does not go in there in any event. R instructs that he smokes his vape pen in his flat and outside the community hall.

IS have advised R of the meaning of an undertaking but have tried to take his instructions on whether or not he would be willing to give one in the terms of the current injunction but R was not willing to engage on the topic. IS will explore this further and update counsel accordingly.

Timescale

We would be grateful to receive Counsel's advice on the merits of defending the injunction application as soon as possible.

If Counsel is of the view that there are merits in R defending the injunction application, she is briefed to attend the adjourned hearing set for 11:30am on 24 August 2022.

Should Counsel have any queries would she please contact Emily Black (contact details - 0203 440 8329) who is assisting Katie Brown of instructing solicitors. Counsel is instructed accordingly.

KATIE BROWN
TV EDWARDS LLP
12 August 2022

CASE NO.: J01EC769

IN THE CLERKENWELL & SHOREDITCH COUNTY COURT

B E T W E E N:-

THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF LAMBETH
Applicant

-and-

OLIVER BERNARD
Respondent

BRIEF TO COUNSEL – TO REPRESENT THE RESPONDENT AT IN-PERSON HEARING ON 24 AUGUST 2022 AT 11:30AM

PUBLIC FUNDING - 300001517601

COUNSEL: Alice Irving
Doughty Street Chambers

Only by email

TV EDWARDS LLP
35 Mile End Road
London E1 4TP

DX: 300700 Tower Hamlets
Tel: 020 3440 8329
Fax: 020 3357 9587
Ref: KBN/EBK/BER374/1

SOLICITORS FOR THE RESPONDENT
12 August 2022